



# Lowell City Council

## *Regular Meeting Minutes*

Michael Q. Geary  
City Clerk

**Date:** January 16, 2018

**Time:** 6:30 PM

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

### 1. ROLL CALL

Roll Call showed 9 present.

Mayor Samaras presiding.

**Motion** to suspend rules to take Item #3.2(G) out of order by C. Mercier, seconded by C. Kennedy. So voted.

### 2. CITY CLERK

#### 2.1. Minutes of City Council Meeting January 9th, for acceptance.

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

### 3. COMMUNICATIONS FROM CITY MANAGER

#### 3.1. Motion Responses:

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

**A) Massachusetts Cultural Facilities Fund** – M. Samaras questioned use of grant. Manager Murphy commented on efforts to obtain funding and how those funds would be spent.

**B) Beaver Brook** – **Motion** by C. Kennedy, seconded by C. Elliott to request City Manager renew funding request from Federal authorities. So voted.

**C) LaPlume Avenue Handicap Parking** – C. Mercier noted that parking sign has been placed at the location.



**D) Intersection of High Street and Rogers Street** – C. Mercier noted it was a City street and requested line painting to be done in area. Nicolas Bosonetto (Traffic Engineer) noted the need to paint lines yearly.

**E) Intersection of Aiken Street and Lakeview Avenue** – C. Leahy questioned traffic congestion in the area and how to address it.

### **3.2. Informational:**

**F) 2017 Compstat Crime Data** – C. Nuon noted the report. Supt. Taylor (LPD) commented on the report noting that there would be more statistical analysis done regarding crime in the City. C. Leahy noted neighborhoods were pleased with decrease in crime. C. Elliott recognized the effort and strategies of the department and noted the addition of officers was beneficial. C. Milinazzo commented on gang activity in the City. Supt. Taylor noted that increased personnel have enhanced the gang unit efforts as well as progressive trends in policing. C. Kennedy questioned set up of gang unit and requested information regarding it. Supt. Taylor provided history of the gang unit.

**G) Attorney General's Receivership Program** – Manager Murphy introduced the Attorney General office to comment on program. AG Amber Villa outlined the program and provided handout entitled: “Informational Handout – Focused Community Partnership (Abandoned Housing Initiative)” to body. Ms. Villa noted the purpose, scope and process of the program and identified possible locations for the program. C. Cirillo thanked the participants of the presentation and the positive effect it will have in the neighborhoods. C. Elliott questioned time frame for implementation. Ms. Villa noted the process and the quick turnaround on properties. C. Kennedy questioned the ability to add properties. Ms. Villa commented on capacity and scope of the program. C. Mercier lauded the program and what it will do for the City. C. Nuon questioned credentials of receivers in the program. Ms. Villa outlined credentials of receivers. C. Milinazzo noted the effect of the partnership and further noted that the LDFC could be an added resource to the effort. C. Leahy noted homes are abandoned and that there will be no evictions. C. Conway noted team effort and commented on other communities facing similar issues. C. Kennedy questioned how process begins. Manager Murphy commented on the advantages of the program and how it will attract more receivers to the City.

**H) Sidewalk Snow Removal** – C. Milinazzo questioned the removal from sidewalks that abut rear yards of homes on Andover Street. Eric Slagle (Insp. Services) noted home owners are responsible for all sidewalks that abut homes. C. Mercier provided information regarding fines for failure to remove snow. C. Kennedy commented on snow removal on Andover Street and other locations with similar situations. Mr. Slagle



noted that there are other areas in the City with same dynamic. C. Kennedy requested alternate solutions should be explored for these situations.

**I) Snow Removal Presentation** – Manager Murphy introduced DPW Chief Thomas Bellegarde to provide presentation to Council regarding snow removal procedures. Mr. Bellegarde provided Council with handout entitled: “Lowell Public Works Department Snow and Ice Master Plan”. Mr. Bellegarde outlined the process of the entire operation for the City which included prioritizing areas; city and school removal; and after care provided at conclusion of storm. C. Kennedy noted the need to remove snow from school areas that do not have onsite parking for employees. C. Cirillo questioned how the process works. Mr. Bellegarde noted the timing and phasing of snow removal. C. Cirillo requested report be placed on line for public viewing. C. Elliott commented on phasing aspect of snow removal. Mr. Bellegarde noted that removal plans change as storm changes. Mr. Bellegarde provided historical approach to prioritizing. C. Elliott questioned use of large snow blower equipment. Mr. Bellegarde noted the use of that equipment and under what circumstances it is used. C. Leahy questioned the use of the large snow blower and the need for business owners to assist with snow removal from the downtown. C. Conway questioned what equipment is available to the City during the storms and how it is maintained as well as contractors that are used. Mr. Bellegarde commented on procedures and the use of Capital Plan to finance some aspects of the operation. C. Milinazzo recognized effort of department and questioned the removal of snow from flat roofs on municipal buildings. Mr. Bellegarde outlined snow removal from roofs are determined. C. Kennedy requested list of all equipment at DPW disposal.

### **3.3. Communication - Appoint Mikaela Hondros-McCarthy to Sustainability Council.**

In City Council, read, **Motion** to adopt by C. Milinazzo, seconded by C. Nuon. Adopted per Roll Call vote 9 yeas. So voted. Ms. Hondros-McCarthy was present and addressed the Council.

### **3.4. Communication - Appoint Sabrina Pedersen to Sustainability Council.**

In City Council, read, **Motion** to adopt by C. Elliott, seconded by C. Cirillo. Adopted per Roll Call vote 9 yeas. So voted. Ms. Pedersen was present and addressed the Council.



### **3.5. Communication - City Mgr. request Out of State Travel (2) LPD; (1) HHS.**

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

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

### **4.1. Vote-Apply/Accept/Expend a Solarize Mass Plus Grant from the Massachusetts.**

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

### **4.2. Vote-Apply/Accept/Expend Grant (\$400,000) from the Massachusetts Cultural.**

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

## **5. REPORTS (SUB/COMMITTEE, IF ANY)**

None.

## **6. PETITIONS**

### **6.1. Claims - (1) Personal Injury; (5) Property Damage.**

In Council, **Motion** to refer to Law Department for report and recommendation by C. Mercier, seconded by C. Kennedy. So voted.

### **6.2. Misc. - Linda Gilbert request (1) handicap parking sign installed at 67-69 Loring Street.**

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

## **7. CITY COUNCIL - MOTIONS**

### **7.1. C. Mercier - Req. installation of (2) handicap parking signs in the front of the East End Club at 15 W. 4th. Street.**

In City Council, seconded by C. Kennedy, referred to City Manager/Traffic Engineer. So voted. C. Mercier commented on the need to provide the parking spaces.



**7.2. C. Cirillo - Req. City Mgr. direct the Law Department to create an ordinance that would require the City of Lowell ban plastic bags in stores larger than 4,000 square feet. The ordinance would only apply to carryout bags used at stores. These are to be exempt from the ban: thin-film plastic bags used for dry cleaning, newspapers, flexible transparent covering for uncooked raw meat, poultry, raw fish, hard cheese, cold cuts, fruit, vegetables, baked goods or bread and wet items.**

In City Council, seconded by C. Kennedy, referred as amended to Environmental SC by substitute motion. So voted. C. Cirillo requested friendly amendment to change to 3,000 square feet stores, so voted with no objections. C. Cirillo noted reason to be environmentally friendly as other communities have done. C. Leahy questioned if it were a complete ban and that it warranted more discussion. C. Elliott noted that actions have consequences and that this would hurt existing and future business in the City and therefore he could not support the motion and in addition there is State action currently on this issue. C. Mercier commented on concerns of businesses and the consumers as well. C. Milinazzo noted he would support discussion of matter at Environmental SC. Substitute **Motion** by C. Kennedy, seconded by C. Nuon to refer this matter and Items 7.3 and 7.4 to Environmental SC for further discussion. Adopted per Roll Call vote 7 yeas, 2 nays (C. Elliott, C. Mercier). So voted. C. Kennedy noted State legislation pending. C. Nuon noted his concerns with motion and the need for further discussion of all items (7.2; 3; and 4). C. Conway commented on State plan and the need to be consistent with that plan. C. Cirillo did not object to Substitute Motion as outlined as long as registered speakers to address the body. C. Kennedy noted State action and that the matter still needs further discussion. C. Leahy commented at bills at the State House. The following registered speakers address the body: Geoffrey Koetsch; Jay Mason; and Lisa Arnold. C. Mercier noted concerns of businesses in Lowell. C. Elliott commented he did not understand the motion and that they needed clarity.

**7.3. C. Cirillo - Req. City Mgr. approve the purchase of 10,000 reusable bags for our seniors and low-income residents and develop a plan to distribute them to our residents.**

In City Council, seconded by C. Nuon, referred to Environmental SC. So voted. See discussion under Item 7.2.

**7.4. C. Cirillo - Req. City Mgr. direct the Law Department to create an ordinance that would require the City of Lowell ban all sales and distribution of expanded polystyrene (Styrofoam) food containers, with a requirement that food packaging be recyclable or compostable. This ordinance will affect all establishments that serve food or drink in single-use disposable service-ware. This includes but is**



**not limited to cups, plates, bowls, hinged or lidded containers, straws, cup lids, and utensils. Food establishments such as restaurants and fast food stores, grocery and convenience stores, beverage retailers, and other retailers will be required to comply with this ordinance.**

In City Council, seconded by C. Nuon, referred to Environmental SC. So voted. See discussion under Item 7.2.

**7.5. C. Cirillo - Req. City Mgr. direct the Department of Planning and Development to give the City an update regarding where we are in the process of the Canal Bridge's bids which are due to be received on January 30th.**

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Cirillo outlined the request.

**7.6. C. Cirillo - Req. City Mgr. have the Division of Planning and Development produce a zoning amendment to allow the Zoning Board of Appeals to issue a special permit for the addition of front porches to existing homes.**

In City Council, seconded by C. Conway, referred to City Manager. So voted. C. Cirillo noted motion was a quality of life issue. C. Milinazzo noted that developmental services should be reviewing the matter. C. Elliott noted that present zoning code needs to be adhered to. Manager Murphy noted Mr. Slagle would review request and gather information from maker to respond accordingly. Solicitor O'Connor commented on current zoning ordinance. C. Leahy requested further information as he does not have an understanding of motion as presented. C. Kennedy provided his interpretation of the motion.

## **8. ANNOUNCEMENTS**

None

## **9. ADJOURNMENT**

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

Meeting adjourned at 8:45 PM.

---

Michael Geary, City Clerk