



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: February 26, 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 chamber for Kathy O'Connor.

2. CITY CLERK

2.1. Minutes of City Council Meeting February 14th, for acceptance.

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

3. AUDITOR BUSINESS

3.1. Vote-Reappoint Bryan Perry to the position of City Auditor. (Cont. from February 14, 2019)

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. M. Samaras relinquished chair to Vice-Chair Noun at 6:47 PM. M. Samaras questioned status of audit report requested at a prior meeting. Mr. Perry provided update and a synopsis of what has been prepared noting the responsibility of the school administration. M. Samaras noted concern and safeguards should be in place to prevent future budget problems. Mr. Perry noted he works with all departments, including schools, and that adherence to Massachusetts General Laws regarding invoice payments should be followed by the departments and that the departments are or should be aware of those regulations. C. Elliott commented issues that have been raised and the school administration were responsible to correct them and that school personnel need to be in tune with the practice. C. Elliott noted the independent audit of the City and the steps that the City Auditor takes to erase any noted deficiencies. C.



Kennedy noted effort of the Auditor and was pleased with it. M. Samaras noted his request for report was to assist the schools. C. Leahy noted the service of the Auditor. C. Mercier commented on success of Auditor; especially in terms of tracking retirement payments to teachers. C. Conway noted prior issues with schools and commented favorably on the performance of Mr. Perry. **Motion** by C. Elliott, seconded by C. Conway to refer Auditor report upon completion to Finance SC. So voted. Vice-Chair Nuon returned chair to M. Samaras at 6:55 PM.

4. GENERAL PUBLIC HEARINGS

4.1. Vote-Accept MGL c.40 s.5B 4th paragraph.

In City Council, Given 2nd Reading, hearing held. No remonstrants. **Motion** to adopt by C. Milinazzo, seconded by C. Nuon. Adopted per Roll Call vote, 9 yeas. So voted. C. Elliott noted that any vote to transfer money into account takes a 2/3 majority. Conor Baldwin (CFO) affirmed the need for a 2/3 vote to transfer money.

4.2. Ordinance-Quarterly Traffic-January 2019.

In City Council, Given 2nd Reading, hearing held. No remonstrants. **Motion** to adopt by C. Mercier, seconded by C. Nuon. 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. Kennedy, seconded by C. Milinazzo. So voted. Manager Donoghue commented on efforts of the fire department in battling fire on High Street over the weekend. C. Mercier noted contribution of food by local establishments. C. Conway noted the collaborative effort to combat the fire.

A) Motion response- Traffic Flow Rt. 110 Intersections – C. Noun recognized the recommendations and noted that they should be adopted. Manager Donoghue noted that DPD and MassDOT will be meeting for a general review.

B) Motion Response - Dwelling House of Hope – C. Kennedy requested search continue and to keep Council informed if any change.

C) Motion Response - HCID Utility Work – C. Mercier requested identification of parcels which are ready for development. Joe Ginewicz (DPD) commented on the areas ready for development.



5.2. Informational Reports

D) Informational - Patriot Care Parking and Traffic Planning – Manager Donoghue noted the upcoming of the recreational sales facility commenting on the formulation of the parking and traffic plans. Eric Slagle (Insp. Services) outlined organizational meetings and those who attended to formulate the plans which included signage, details on street and at site and crowd control. Mr. Slagle noted that traffic may not be as big as a concern as other communities have experienced and the City supports the plan and that plan may be updated as needed. C. Leahy commented on traffic concerns and noted that other areas that recently opened are not seeing a dramatic increase in traffic. C. Leahy requested tour of the facility. C. Milinazzo noted effort to formulate the plan and questioned if it is filed with the State. Mr. Slagle noted that State boards and agencies would be requesting such plans during the oversight and review. Manager Donoghue noted the effort of the team and the cooperation of the owners of Patriot Care. C. Elliott noted Patriot Care would be paying for details and questioned the routing into the facility. Natasha Vance (Transportation Engineer) outlined the reasoning behind the routes selected.

5.3. Petition Responses

E) Petition response - 15 Min. Parking on Appleton St. – Ms. Vance commented on the response.

5.4. Communication-Appoint Kerry Regan Jenness to Historic Board as Gr. Lowell Bar Assoc. Member.

In City Council, read, **Motion** to adopt by C. Cirillo, seconded by C. Conway. Adopted per Roll Call vote 9 yeas. So voted. Atty. Regan - Jenness was present and thanked the Council

5.5. Communication-Reappoint Richard Lockhart as Planning Board Mbr and James Wilde as at Large Member to Historic Board.

In City Council, read, **Motion** to adopt as to James Wilde by C. Kennedy, seconded by C. Cirillo. Adopted per Roll Call vote 9 yeas. So voted. Appointment of Richard Lockhart was withdrawn as he was appointed at prior meeting.

5.6. Communication - City Manager request Out of State Travel (1) LPD.

In City Council, matter was withdrawn per request of LPD.



6. VOTES FROM THE CITY MANAGER

6.1. Vote-Accept.Expend Funds 5,000 from Mass Cultural Council Districts Initiative Funding Grant.

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.

6.2. Vote-Auth. CM Ex. Temporary Access Agreement with WinnDevelopment re 193 Jackson St and 239 Jackson St aka Parcel 8 and 9 of HCID, Lowell.

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. C. Leahy questioned if parcels would be developed soon. Manager Donoghue noted that development would begin after testing. C. Elliott noted this was a good next step for development in the district.

6.3. Vote-Establish Municipal Facility Stabilization Fund pursuant to MGL c. 40 s.5B 4th paragraph.

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.

7. REPORTS (SUB/COMMITTEE, IF ANY)

7.1. Public Safety SC February 26, 2019.

In City Council, C. Nuon provided the report commenting on attendance and discussion regarding police gang unit task force. C. Nuon noted the partners with Lowell Police and the programs for youth that they provide. C. Milinazzo commented on assisting with dealing with peer pressure among the youth group and how the outreach is done to achieve that. C. Leahy noted there was a lot of good information about the partnerships. C. Nuon commented on the increase of the Shannon Grants to the police. C. Elliott commented on collaboration at the federal level to combat drug dealing and addiction. C. Elliott commented on motion adopted at the subcommittee which requested a letter be sent to federal agencies to assist local agencies combatting drug dealing and addiction. **Motion** by C. Elliott, seconded by C. Conway to request Mayor organize fellow Merrimack Valley mayors to request federal assistance to combat drug dealing in addiction in the local area. So voted. **Motion** to adopt the motions of the subcommittee and accept the report as a report of progress by C. Milinazzo, seconded by C. Mercier. So voted.



8. PETITIONS

8.1. Claims - (2) Property Damage.

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

8.2. Misc. - Leena Pen request permission to address Council regarding parking along Wannalancit Street.

In City Council, **Motion** to refer to City Manager for report and recommendation by C. Kennedy, seconded by C. Mercier. So voted. Ms. Pen was present and addressed the Council. C. Elliott noted there were several issues which may include legal issues as well. C. Nuon noted the problems. C. Mercier noted the importance of the issues and that an inspector should be sent to the property. C. Kennedy questioned ownership of the property. Manager Donoghue commented on her response and that the office had the contact information of Ms. Pen.

8.3. Misc. - Lee Properties, LLC (Jonathan Cozzens) request installation of overhanging sign for Bridge Street Laundromat located at 485 Bridge Street.

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

8.4. Misc. - White Street Residents request new Resident Parking Program for portions of Fourth Ave., Mt. Hope St., White St. and Avon St.

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

8.5. National Grid - Request installation of electric conduits on Quebec Street between Blossom and Maple Streets.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on March 12, 2019 at 7 PM by C. Kennedy, seconded by C. Milinazzo. So voted.

9. CITY COUNCIL - MOTIONS

9.1. C. Nuon - Req. City Mgr. work with Middlesex North Register of Deeds, Richard Howe, Jr., to compile a report regarding amount of money paid to the Community Preservation Acts (CPA) by Lowell residents. (Cont. from February 14, 2019)



In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Nuon noted he would wait for the report.

9.2. C. Nuon/C. Kennedy - Req. City Mgr. review boards and commissions to determine whether additional associate and/or alternate members should be added to assist with quorum requirements and to help foster greater public participation.

In City Council, no second needed, referred to City Manager. So voted. C. Nuon noted the purpose of the motion was to increase diversity, assist with succession of membership and quell quorum issues. C. Kennedy noted that training sessions for board members would be beneficial.

9.3. C. Mercier - Req. City Mgr. have Transportation Engineer revisit the traffic light at the corner of Broadway and Pawtucket Streets, in front of the Humane Society, and see if change is possible to a blinking/pedestrian crossing light.

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Mercier noted that it was a constituent request and information should be provided to him.

9.4. C. Cirillo - Req. City Mgr. have proper department provide City Council with a newly drafted 10 year, City of Lowell Partnership for Change Action Plan to end homelessness.

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Cirillo commented on the purpose of the motion and the possibility of being first city to end homelessness. C. Kennedy noted the issue was prevalent and it is good to continue planning and review prior plans. M. Samaras noted the efforts of Community Teamwork surrounding this issue. C. Cirillo noted the importance of working with them. C. Elliott noted the involvement of Hunger/Homeless Commission as well.

9.5. C. Conway - Req. City Mgr. work with appropriate department to develop a report that will explain how the City complies with and implements the Federal and State law; "US Lactation Room Law".

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Conway noted the need to adhere to current state and federal law and that it is a good employment incentive. C. Mercier noted the importance of providing the facility.



10. ANNOUNCEMENTS

In City Council, none.

11. ADJOURNMENT

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

Meeting adjourned at 7:55 PM.

Michael Geary, City Clerk