



# Lowell City Council

## *Regular Meeting Minutes*

Michael Q. Geary  
City Clerk

**Date:** March 20, 2018

**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 John P. Maher; Phyllis B. (Sepe) O'Sullivan; and Dennis Ready. C. Elliott requested moment of silence in darkened chamber for Gerald R. St. Peter.

M. Samaras along with Catherine Rourke presented awards and citations for Soup Bowl Competition winners. Conor Baldwin (CFO; Acting City Manager for meeting) listed all the participants in the competition. Culinary Awards were as follows: 1. Life Alive; 2. Purple Carrot Bread Co.; and 3. Eggroll Café. People's Choice Awards were as follows: 1. Purple Carrot Bread Co.; 2. Eggroll Café; and 3. Sizzling Kitchen.

M. Samaras announced the retirement of Michael Demaras after forty five years of service for the City. M. Samaras presented the citation Mr. Demaras thanked the Council and commented on time at City Hall and recognized co-workers and family. C. Elliott, C. Leahy, C. Mercier and C. Kennedy recognized the work and accomplishments of Mr. Demaras and thanked him for his service. Ann Marie Page and Deb Forgione of the neighborhood group thanked Mr. Demaras for his service.

Mr. Baldwin introduced the new DPW Commissioner, James Donison who was present and thanked the Council.

M. Samaras noted that three finalist have been picked to be interviewed for the City Manager's position. **Motion** by C. Elliott, seconded by C. Conway that interviews for position be conducted on Tuesday, March 27, 2018 beginning at 5:00 PM. Adopted per Roll Call vote, 8 yeas, 1 nay (C. Mercier). So voted. C. Conway suggested alternated plan if candidates are unable to interview. Mary Callery (HR) noted that candidates usually make the scheduled interview. C. Milinazzo agreed with time frame but noted that a scheduled Zoning SC would have to be moved to a 4:00 PM start on that day. C.



Kennedy noted possible changes may come after speaking with candidates. C. Mercier questioned the number of votes each candidate received and commented that the process is not genuine and should be dismissed and to move forward with best person for the position. C. Leahy commented that there is a best person who is willing to serve and that the opportunity should be available with limited process. C. Noun supported motion noting there must be an open process. C. Kennedy noted that the process is designed to get the best candidate for the job and said process was set out by the Council. C. Cirillo noted the process will assist in getting best possible candidate for the position. C. Conway noted interview process is best method to getting most qualified person for the job. C. Leahy noted that viewing the applications indicates who would best serve the City. C. Samaras commented on need for process and its importance. C. Kennedy noted the best person is selected through the interview process. C. Mercier favored an honest approach. **Motion** by C. Elliott, seconded by C. Cirillo that selection of the City Manager be placed on regular Council agenda for March 27, 2018 under Mayor's Business. Adopted per Roll Call vote, 9 yeas. So voted. **Motion** by C. Kennedy, seconded by C. Cirillo to appoint City Clerk, Michael Geary, as interim City Manager at the end of current Manager's term until newly appointed manager enters office. Adopted per Roll Call vote, 9 yeas. So voted.

## **2. CITY CLERK**

### **2.1. Minutes Of Neighborhoods SC March 6th; City Council Meeting March 6th, For Acceptance.**

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

## **3. AUDITOR BUSINESS**

### **3.1. Communication - "FY17 Audit".**

In City Council, **Motion** "To accept and place on file" by C. Elliott, seconded by C. Kennedy. So voted. Bryan Perry (Auditor) outlined reports as well financial status. C. Mercier questioned management letter regarding school grants and revenue from parking fines. C. Cirillo questioned use of purchase orders and the process for paying vendors. Mr. Baldwin noted the Administration's response to the management letter. **Motion** to refer matter to Finance SC by C. Elliott, seconded by C. Nuon. So voted.

### **3.2. Informational - "FY17 Schedule A".**

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



#### **4. GENERAL PUBLIC HEARINGS**

##### **4.1. Colonial Gas d/b/a National Grid request license for storage of flammables (19,600 gals. 50/50 water/glycol Cl. IIIB; AST) at 333 School Street.**

In City Council, Given 2<sup>nd</sup> Reading, hearing held. Speaking in favor was Chief Winward (LFD). No remonstrants. **Motion** to adopt C. Nuon, seconded by C. Elliott. Adopted per Roll Call vote, 9 yeas. So voted.

##### **4.2. Misc. - CH LH CrossPoint Owners, LLC request license for additional storage of flammables (7,500 gals. AST Fuel Oil #2/Diesel II) at 900 Chelmsford Street.**

In City Council, Given 2<sup>nd</sup> Reading, hearing held. Speaking in favor was Chief Winward (LFD). No remonstrants. **Motion** to adopt C. Mercier, seconded by C. Nuon. Adopted per Roll Call vote, 9 yeas. So voted.

##### **4.3. Ordinance-Create one new grant position Resource Room Navigator and establish salary in the Career Center of Lowell.**

In City Council, Given 2<sup>nd</sup> Reading, hearing held. Speaking in favor was Nancy Gagnon (Career Center). No remonstrants. **Motion** to adopt C. Mercier, seconded by C. Cirillo. Adopted per Roll Call vote, 9 yeas. So voted.

##### **4.4. Ordinance-Create one Systems and Project Specialist position and establish salary in the Police Dept.**

In City Council, Given 2<sup>nd</sup> Reading, hearing held. Speaking in favor was Supt. Taylor (LPD). No remonstrants. **Motion** to adopt C. Elliott, seconded by C. Mercier. Adopted per Roll Call vote, 9 yeas. So voted. C. Elliott commented on the new position and the funding being used. Mr. Baldwin outlined the funding source.

#### **5. UTILITY PUBLIC HEARING**

##### **5.1. National Grid - Request installation of heavy duty handhole and electric conduit in front of 43 Market Street.**

In City Council, Given 2<sup>nd</sup> Reading. Hearing held. Speaking in favor were the developer of the property; Ken Dody (Natl. Grid); and Joe Cady (City Engineer). No remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Kennedy, seconded by C. Nuon. So voted.



## 6. COMMUNICATIONS FROM CITY MANAGER

### 6.1. Motion Responses.

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

**A) Abandoned Properties** – C. Elliott noted the report and the number of properties on it and outlined issues involved with the process including ownership issues. Eric Slagle (Insp. Services) commented on receivership and demolition programs. Christine O'Connor (City Solicitor) commented on procedures used in the past. Mr. Slagle noted properties and provided a GIS map. C. Nuon questioned the number of bank-owned properties. Mr. Slagle estimated types of ownership. C. Nuon noted the Attorney General program for dealing with these properties. C. Kennedy noted the pilot program of the Attorney General and that the City should establish own policy. Mr. Slagle commented on needed resources for such a program. **Motion** by C. Kennedy, seconded by C. Cirillo to request Law Department and Inspectional Services provide a report regarding costs associated with establishing receivership program which is similar to that of the Attorney General. So voted. C. Cirillo noted the need for a comprehensive approach to identify properties for the program. Mr. Slagle outlined procedure to identify properties. C. Elliott noted the need for resources for receivership program as well as for enforcement of policies. Solicitor O'Connor noted costs would be present to establish a program. C. Milinazzo noted that the LDFC could be a good partner for this process. C. Leahy questioned permitting process regarding property on Clark Road. C. Milinazzo noted the property condition and the length of time it has been in such a state. C. Kennedy noted the property has been in disrepair for too long a period of time.

**B) Policy for Take Home Vehicles** – C. Nuon noted the report was helpful as it outlined all uses. Supt. Taylor and Chief Winward outlined the vehicle uses for each of their departments. C. Conway commented on use of vehicle for canine officers. C. Kennedy requested Item #6.4 be taken out of order. So voted, no objections.

**C) Parking Rate Signage** – C. Mercier recognized the report and noted results. C. Cirillo noted the quick response.

**D) Branch and Middlesex Business Corridor** – C. Nuon commented on future meeting with business owners in this area.

**E) Downtown Coordinator** – C. Mercier noted the report which indicated there was a designated individual for the position. C. Nuon commented on grant to assist with economic development. Kevin Coughlin (DPD) commented on grant procedure and time frame. C. Elliott commented on the



use of the grant money if approved. C. Mercier commented on graph which outlined services provided by the City.

## 6.2. Informational

**F) Street Acceptance** C. Leahy commented on stalled process for accepting streets. C. Leahy noted that there should be analysis of costs to increase frequency of process. Mr. Baldwin noted the need for accepting streets. C. Mercier questioned status of Swan Street.

**G) Municipal Bond/ Note Sale** – None.

**H) 2017 Management Letter** – None.

## 6.3. Communication - City Manager request Out of State Travel (2) LPD; (1) HHS.

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

## 6.4. Presentation - Lowell National Historic Park (Laurel Racine, Chief Cultural Resources) - Branding Lowell Exhibit.

In City Council, **Motion** “To accept and place on file” by C. Kennedy, seconded by C. Cirillo. So voted. Ms. Racine commented on exhibit and the team involved. Mark Van Der Hyde provided overview for the exhibit.

## 7. VOTES FROM THE CITY MANAGER

### 7.1. Vote-Authorize City Manager Ex. Easement with National Grid 16 Franklin Street.

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

### 7.2. Vote-Approve the exemption of Brady Finn from MGL c. 268A, s.20.

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

### 7.3. Vote-Auth CM Ex. License Agreement with United Dental Inc for overhanging sign at 131 Merrimack Street.

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



#### **7.4. Vote-Transfer 163,510.00 to cover FY18 Fire Dept.**

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Conway, seconded by C. Elliott. Adopted per Roll Call vote 9 yeas. So voted. C. Elliott requested explanation of the transfer. Chief Winward outlined the transfer.

### **8. ORDINANCES FROM THE CITY MANAGER**

#### **8.1. Ordinance-Create new position and salary Lowell Community Opioid Outreach Program (Co-op) Supervisor in the HHS Dept.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to Public Hearing on April 3, 2018 at 7 PM by C. Kennedy, seconded by C. Nuon. So voted.

#### **8.2. Ordinance-Amend c.266 re Parking rates and fines.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to Public Hearing on April 3, 2018 at 7 PM by C. Kennedy, seconded by C. Milinazzo. So voted.

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

#### **9.1. Arts and Culture SC March 20, 2018.**

In City Council, C. Cirillo provided report regarding attendance, promotion of the arts, use of website, neighborhood art projects and implementing cultural APP. C. Cirillo noted request for increased funding, street closures for festivals, public art and advertising cultural events. **Motion** to accept the report as a report of progress by C. Mercier, seconded by C. Kennedy. So voted.

### **10. PETITIONS**

#### **10.1. Claim - (2) Property Damage.**

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

#### **10.2. Misc. - Broadway Street Holdings, Inc. request license for storage of flammables (2,000 gals. Ultra-Low Sulfur Diesel #2; AST) at 706 Broadway Street.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to Public Hearing on April 3, 2018 at 7 PM by C. Mercier, seconded by C. Kennedy. So voted.



**10.3. Misc. - Vijoy Abraham on behalf of Shannon Stallworth request installation of (1) handicap parking sign at 33 Read Street.**

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

**11. CITY COUNCIL - MOTIONS**

**11.1. C. Cirillo - Req. Arts and Culture SC work in conjunction with the cultural commission to promote public art in and around the City.**

In City Council, seconded by C. Kennedy, referred to Arts and Culture SC. So voted. C. Cirillo noted meeting already took place.

**11.2. C. Cirillo - Req. City Mgr. provide a report regarding rejuvenation of the Tour de Lowell; report to include information from prior races in the City.**

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Cirillo noted the need to renew the event. C. Kennedy likened the event to a festival.

**11.3. C. Cirillo - Req. City Mgr. provide a report regarding spring tree and flower plantings in the City; report to include schedule of plantings, number of plantings and area of plantings.**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Cirillo requested what types of vegetation is being planted.

**11.4. C. Cirillo - Req. City Mgr. provide an update report regarding National Grid's gas pipeline project for a new 12 inch line to replace current 6 inch line which will run through Chelmsford, Lowell and Tewksbury.**

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. Registered speakers, Marissa Shea and Monica Lunberg, addressed the Council. C. Cirillo noted the need for additional information regarding gas line.

**11.5. C. Conway - Req. City Mgr. have proper City officials make a presentation to the Substance Abuse SC relative to steps being taken to combat the opiate epidemic.**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Conway commented on the frightening statistics of the epidemic and there should be search for new approaches and ideas to combat these drug issues. C. Kennedy noted the Opioid



Task Force and the work being done. C. Mercier commented on the work of the Task Force. C. Nuon noted it was a universal problem. C. Conway noted all work being done and noted it will always be a pressing issue that requires many different approaches.

**11.6. C. Conway - Req. City Mgr. have Law Dept. provide a report regarding when the names of applicants for positions in the City can be properly disclosed to public.**

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Conway noted he received confidential information that should have remained that way and is merely seeking protocol to follow for all members in future situations.

**11.7. C. Elliott - Req. City Mgr. explore feasibility of providing 15 minute parking space at 56 Branch Street.**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Elliott noted that section of City is developing and there is a need for off-street parking and that City should be searching for such areas.

**11.8. C. Elliott - Req. City Mgr. explore feasibility of providing a loading zone parking space located at 32 Branch Street.**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Elliott noted that a solution is needed for the area around firehouse.

**11.9. C. Kennedy - Req. Zoning SC consider amending the current parking regulations for boarding homes and make recommendation to City Council.**

In City Council, seconded by C. Cirillo, referred to Zoning SC. So voted. C. Kennedy noted the need to look at current regulations as there may be many illegal properties in the City and that modifying the ordinance could assist in identifying them.

**11.10. C. Kennedy - Req. Zoning SC review and consider amendments to the zoning code; specifically for definitions for “boarding houses” and “family” in Art. II and the Table of Uses in Art. I.**

In City Council, seconded by C. Cirillo, referred to Zoning SC. So voted. Note prior discussion at Item #11.9.

M. Samaras relinquished Chair to Vice-Chair Nuon at 9:11 PM.



**11.11. M. Samaras - Req. City Council set up a joint meeting of the Public Safety SC with the Student Services SC of the School Committee to discuss safety in our schools.**

In City Council, seconded by C. Cirillo, referred to Public Safety SC. So voted. M. Samaras noted the need to continuing to develop safety plans in the City and commented on safety audit. Solicitor O'Connor commented on discussion of safety issues in Executive Session. C. Kennedy noted that such action by City will give parents comfort to a degree. C. Conway commented on existing Safety Task Force. M. Samaras indicated the different approach each would take. C. Elliott requested update for current safety protocols. C. Leahy noted police training on this issue.

**12. ANNOUNCEMENTS**

In City Council, C. Conway noted upcoming Greek flag raising event.

**13. ADJOURNMENT**

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

Meeting adjourned at 9:25 PM.

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Michael Geary, City Clerk