



# Lowell City Council

## *Regular Meeting Minutes*

Michael Q. Geary  
City Clerk

**Date:** April 3, 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 Daniel Lamarche, Lowell Police Officer.

C. Leahy requested moment of silence in darkened chamber for Kasandra Rodriguez and Maurice Soucy.

C. Elliott requested moment of silence in darkened chamber for Joh J. Fuller.

M. Samaras requested moment of silence in darkened chamber for Jean D. Perry.

M. Samaras presented citation to the Lowell High School Airforce ROTC Drill Team for the 2018 National Championship.

### **2. MAYOR'S BUSINESS**

#### **2.1. Citation - LFD in recognition of Dennis Moran, Jr.**

In City Council, M. Samaras and Chief Winward (LFD) presented citation to Mr. Dennis Moran, Jr.

#### **2.2. Communication - Update regarding Manager Donoghue contract.**

In City Council, M. Samaras noted matter would be taken up at Executive Session.



### **3. CITY CLERK**

#### **3.1. Minutes Of Zoning SC March 27th; City Council Special Meeting March 27th; City Council Meeting March 27th, For Acceptance.**

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

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

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

In City Council, Given 2<sup>nd</sup> Reading, hearing held. Speaking in favor Kerran Vigroux, and Fire Chief Jeffrey Winward. No remonstrants. **Motion** to adopt C. Elliott, seconded by C. Mercier. Adopted per Roll Call vote, 9 yeas. So voted.

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

In City Council, Given 2<sup>nd</sup> Reading, hearing held. Speaking in favor Stephen Greene, Downtown Resident and VP Downtown Neighborhood Association, and Nicholas Navin, (Parking Director). Speaking in opposition Atty. Martha Howe, Atty. Mike Najjar, Marcotte Law Firm, Atty. Todd Beauregard, Atty. Greg Curtis. **Motion** "To refer to Finance SC for further study" by C. Elliott, seconded by C. Mercier. Adopted per Roll Call vote, 9 yeas. So voted.

Motion to Suspend the Rules to take 6.1 out of order by C. Elliot, seconded by C. Conway. So Voted.

Motion to Suspend the Rules to take 5.3 out of order by C. Elliott, seconded by C. Conway. So Voted.

#### **4.3. Broadway Street Holdings, Inc. request license for storage of flammables (3,000 gals. Ultra-Low Sulfur Diesel #2; AST) at 706 Broadway Street.**

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

### **5. COMMUNICATIONS FROM CITY MANAGER**

#### **5.1. Motion Responses**

#### **Motion Responses**



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

**A) Motion Response - Additional Engineering Staff** – C. Leahy questioned the plan of the City and asked how many Streets would be done per year. C. Mercier asked how many streets were accepted in 2018.

## 5.2. Informational

### Informational

**B) Informational - LMA Contract Award** – Mr. Baldwin explained the selection committee that was put together to go over proposals for Lowell Memorial Auditorium unanimously recommended to the City Manager an award to Lowell Management Group. C. Nuon would like to congratulate company and also requested a copy of the contract. C. Mercier would also like to congratulate. C. Conway congratulated company and asked that the company provide a presentation to the City Council. C. Kennedy said he is confident that the direction the City and City Manager is recommending will make a positive change. **Motion** – C. Kennedy moved, seconded by C. Cirillo “To refer the recommendation to the Law Department for the proper vote and also the night the contract is voted on that the company make a presentation. C. Elliott questioned length of contract. Mr. Baldwin said it was a 5 year contract w/optional 3 year extension. C. Milinazzo asked if auditorium would be level funded FY 19 budget. Mr. Baldwin said yes it is level funded.

## 5.3. Communication - Presentation by Atty. Sandman regarding class action opioid lawsuit.

In City Council, Atty. Sandman provided information regarding opioid suit and outlined procedures and scope of representation.

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

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

## 6. VOTES FROM THE CITY MANAGER

### 6.1. Vote-Transfer \$156,435 for purchase and installation of equipment needed to meet intended purchase of mobile production van.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Kennedy, seconded by C. Leahy. Adopted per Roll Call vote 9 yeas. So voted. Registered speaker, Leo Creegan addressed the Council.



**6.2. Vote-Transfer \$6,000 in funds for the purchase of new computer equipment for use within the Health Department.**

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

**7. REPORTS (SUB/COMMITTEE, IF ANY)**

**7.1. Zoning SC April 3, 2018.**

In City Council, C. Milinazzo provided report noting attendance and discussion of proposed marijuana ordinance. C. Milinazzo brought forward recommendations of the sub/Committee and recommended that the Ordinance move forward and be sent to the Law Department to draft proper form with 2 amendments. First being table of uses to allow Regional Retail go from No to Planning Board approval and the second amendment to the co-locations that Patriot Care be grandfathered and exempt from this as they already exist in couple locations. **Motion** by C. Cirillo, seconded by C. Mercier "To refer Ordinance to the Law Department for proper vote and to accept the report as a report of progress". So Voted

**7.2. Wire Insp. - National Grid - Request installation of heavy duty handhole and electric conduit in front of 43 Market Street.**

In City Council, Motion to adopt and accept the accompanying order by C. Conway, seconded by C. Cirillo. So voted.

**8. PETITIONS**

**8.1. Claims - (3) Property Damage.**

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

**8.2. Misc. - Silvette Figueroa request installation of (1) handicap parking sign at 16 Ames Street.**

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

**9. CITY COUNCIL - MOTIONS**

**9.1. C. Nuon - Req. City Mgr. provide a report regarding condition of fire stations in the City.**



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

**9.2. C. Nuon - Req. City Mgr. provide list of names and terms of service for City boards and commissions.**

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

**9.3. C. Leahy - Req. City Mgr. provide update regarding downtown spring cleaning.**

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

**10. CITY COUNCIL – EXECUTIVE SESSION**

**10.1 Executive Session - To discuss pending contract negotiations with incoming City Manager Eileen M. Donoghue, public discussion of which could have a detrimental effect on the City's position.**

In City Council, M. Samaras stated reason for Executive Session, **Motion** by C. Elliott, seconded by C. Kennedy to enter Executive Session for stated purpose and adjourn from Executive Session (8:53 PM). Adopted per Roll Call vote, 6 yeas, 3 nays (C. Cirillo, C. Leahy, M. Samaras. So voted. M. Samaras stated that body would adjourn from the Executive Session.

**10. ANNOUNCEMENTS**

None.

**11. ADJOURNMENT**

In Executive Session, **Motion** to Adjourn by C. Kennedy, seconded by C. Elliott. So voted.

Meeting adjourned at 9:34PM in Executive Session.

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Angela Gitschier, Acting City Clerk