



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: June 9, 2020
Time: 6:30 PM
Location: ZOOM / REMOTE PARTICIPATION

1. ROLL CALL

Roll Call showed 9 present.

M. Leahy presiding. Meeting was conducted via teleconference with audio stream by LTC as well as Zoom and recorded due to Covid-19 pandemic.

C. Mercier requested moment of silence in darkened chamber for Jose and Fernanda Medina and Brian Barry (accident victims). C. Mercier requested moment of silence in darkened chamber for Patricia Hogan. C. Mercier requested moment of silence for George Floyd. M. Leahy requested moment of silence in darkened chamber for Lucien Latulippe. C. Chau requested moment of silence in darkened chamber for Gonzalo Claudio Vazquez and for George Floyd.

2. MAYOR'S BUSINESS

2.1. Communication Remote Participation.

Pursuant to Governor Baker's Emergency Order modifying the State's Open Meeting Law issued March 12, 2020, meetings will be held using remote participation as follows: Members of the public may view the meeting via LTC and 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 tele-conferenced in to the meeting. Email address is mgeary@lowellma.gov. If no access to email you may contact City Clerk at 978-674-4161.

For Zoom - <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

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



2.2. Recognition - 50th Anniversary of Earth Day.

In City Council, **Motion** "To accept and place on file" by C. Samaras, seconded by C. Chau. So voted. M. Leahy noted a video presentation recognizing Earth Day would be placed on City website.

3. CITY CLERK

3.1. Minutes of City Council Meeting May 26th; Transportation SC June 2nd, for acceptance.

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

Motion by C. Elliott seconded by C. Nuon to take Item #6.1 out of order. So voted.

4. GENERAL PUBLIC HEARINGS

4.1. Vote - Continuing Appropriation Order - FY21 One Twelfth Budget.

In City Council, hearing held. No Remonstrants. **Motion** to adopt 1/12th budget of \$38,351,100 by C. Elliott, seconded by C. Nuon. Adopted per Roll Call vote 9 yeas. So voted. Speaking in favor was Conor Baldwin (CFO) who provided presentation entitled "FY 2021 Continuing Resolution" which outlined following topics: definitions, timelines, creating budget, categories, revenue, local aid trends, fiscal impact and process moving forward. C. Nuon questioned amount of possible State aid. Mr. Baldwin noted that final number would not be available for some time.

4.2. Loan Order 6,771,100 various Capital Improvement 2021.

In City Council, hearing held. No Remonstrants. **Motion** to adopt and refer to Clerk's Office for 20 days by C. Elliott, seconded by C. Rourke. Adopted per Roll Call vote 9 yeas. So voted. Speaking in favor was Mr. Baldwin who provided presentation entitled "FY2021 Capital Plan" which outlined list of properties, capital investments and finance plan for projects, affordability, capital debt affordability and credit rating/reserves. C. Samaras questioned investing during tough economic times. Mr. Baldwin noted the importance of investing in the City and it is a best practice for management. C. Nuon noted investments enhance safety in the City. Manager Donoghue noted the favorable interest rates that City will have on notes due. Mr. Baldwin outlined those rates and the reason they were favorable. C. Elliott noted that each year there is debt that the City retires.



4.3. Ordinance - Amend Mobile Food Vendors.

In City Council, hearing held. No Remonstrants. **Motion** to adopt by C. Samaras, seconded by C. Chau. Adopted per Roll Call vote 9 yeas. So voted. Speaking in favor was Eric Slagle (Inspectional Services) who outlined the changes to the ordinance.

4.4. Ordinance - Street Seats in the Public Space.

In City Council, hearing held. No Remonstrants. **Motion** to adopt by C. Rourke, seconded by C. Nuon. Adopted per Roll Call vote 9 yeas. So voted. Speaking in favor was Christine McCall (DPD) who outlined the changes to the ordinance. C. Mercier noted it was applicable to all business throughout the City. C. Rourke questioned process and time frame. C. Elliott questioned if ordinance would apply to bars in the City. Mr. Slagle commented on the ABCC regulations regarding service of alcohol in conjunction with food service. Manager Donoghue noted the efforts to put ordinance in place.

4.5. Ordinance Amending Ch. 150 Fees.

In City Council, hearing held. No Remonstrants. **Motion** to adopt by C. Nuon, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted.

Motion by C. Nuon, seconded by C. Drinkwater to take Items #8.9 and #8.12 out of order. So voted.

5. COMMUNICATIONS FROM CITY MANAGER

5.1. Motion Responses.

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

A) Motion Response - Cawley Stadium – Manager Donoghue noted it was a response to several motions and the report covers the full replacement of the field as part of the FY21 Capital Plan outlining time frame and funding. C. Rourke noted the need to fix the issues and maintain it for continued benefit. C. Mercier commented on the use of self-help grants to assist with funding. C. Conway noted it has been a number of years in the making for this project. C. Nuon questioned scope of work and costs. Manager Donoghue commented on use of grant money noting that it would not be available to replace field turf. C. Rourke commented on the use of Community Preservation Act money.



B) Motion Response - Hurd Street – Motion to transfer to Finance SC by C. Elliott, seconded by C. Nuon. So voted.

C) Motion Response - St. Hilaire's Car Wash Donation Box Removal – C. Mercier commented on the report and the action of the City. Mr. Slagle commented on removal of the boxes.

D) Motion Response - 242 Lakeview Ave. – C. Chau commented on the report and the plan to take action quickly.

5.2. Petition Responses

E) Petition Response - 682 Broadway Handicapped Spot - None.

6. VOTES FROM THE CITY MANAGER

6.1. Vote-Accept Timely Receipt of Budget FY21.

In City Council, Given 2nd Reading, **Motion** to adopt by C. Elliott, seconded by C. Rourke. Adopted per Roll Call vote 9 yeas. So voted.

6.2. Vote-Authorize Manager Execute Annual Action Plan FY20-21.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Chau, seconded by C. Elliott. Adopted per Roll Call vote 9 yeas. So voted. C. Elliott noted lease at the Senior Center. Manager Donoghue commented on ownership transfer.

6.3. Vote-Authorize Manager Execute Limited Access Agr - Speedway LLC.

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

7. REPORTS (SUB/COMMITTEE, IF ANY)

7.1. Transportation SC June 2, 2020.

In City Council, C. Elliott provided report outlining attendance and discussion regarding the traffic calming measures on the Pawtucket Boulevard which included enforcement; State Delegation involvement; MassDOT oversight; and temporary and permanent improvements. C. Elliott noted his effort to reach out to Governor's Office and the State's progress to a road safety audit. Natasha Vance (Transportation Engineer)



commented on efforts and funding mechanisms. **Motion** to accept the report as a report of progress by C. Elliott, seconded by C. Mercier. So voted.

8. CITY COUNCIL - MOTIONS

8.1. C. Chau - Req. City Mgr. communicate with Mass. Cannabis Commission, or other agencies, and update the Council on the timetable and process for establishing standards, regulations, and enforcement guidelines for use and transportation of recreational marijuana.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. Registered speaker, Bill Dailey, addressed the Council. C. Chau commented on the referendum and the need for clarity regarding all of the regulations.

8.2. C. Chau - Req. City Mgr. direct the clean-up of dumped materials, trash and other public health related debris in the areas of Washington Street (near Leverett Street), Leverett Street, (near Cambridge Street), and along both sides of the adjacent Lowell Connector (along River Meadow Brook).

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Chau noted the area and how it has been abused.

8.3. C. Elliott - Req. City Mgr. and Supt. Of Police provide a report regarding the effectiveness of installing traffic cameras at dangerous intersections/roadways.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Elliott commented on court decision limiting the effectiveness of camera use but it can still be used for traffic control. C. Nuon noted that there should be legislation to enhance the use of cameras regarding speed control. Manager Donoghue noted that they would follow up regarding any legislation.

8.4. C. Elliott - Req. City Mgr. have Transportation Engineer initiate a speed bump pilot project and identify several dangerous roadways, to address speeding and dangerous driving.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Elliott noted the need for pilot program to judge its effectiveness. C. Conway noted the pressing need for the speed bumps.

8.5. C. Elliott - Req. City Mgr. have Transportation Engineer evaluate making Billings (on-way) and Barker intersection a three-way stop.



In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Elliott noted it was a constituent request for calming measures.

8.6. C. Nuon - Req. City Mgr. organize a joint meeting of the Commission on Race Relations with appropriate agencies to prepare a report regarding best practices in building community relationships.

In City Council, seconded by C. Chau, referred to City Manager. So voted. C. Nuon noted the need to enhance strength in the community. C. Conway noted always important to improve and noted the efforts of the Lowell Police Department.

8.7. C. Nuon - Req. City Mgr. work with appropriate department to address the impact of the Covid-19 pandemic on Lowell's moderate 2020 Census response and implement a plan to improve the response rate.

In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. C. Nuon commented on the importance of the census for federal assistance and that all citizens need to be counted. M. Leahy noted the efforts used to improve response rate.

8.8. C. Nuon - Req. City Mgr. work with the State Delegation and the Mass Dept. of Transportation to implement changes that will slow traffic on the Pawtucket Boulevard; possibilities include radar speed display, automated speed enforcement, speed bumps and narrowing the road.

In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. C. Nuon noted need to bring all parties together. C. Mercier noted earlier responses regarding this topic.

8.9. C. Drinkwater/C. Nuon - Req. City Mgr. report on the costs of a third party audit of human resources/hiring practices that includes recommendations for ensuring a diverse and inclusive City workforce, and to explore the possibility of outside funding sources for the report, including grants.

In City Council, no second needed, referred to City Manager. Adopted per Roll Call vote 9 yeas. So voted. Registered speakers, Sue Kim, Rosa Payes, Sarah Kuhn, Heather Prince-Doss, Stephen Malagodi, Vannak Theng, Oye Akintan, Jennifer Balala, addressed the Council. C. Drinkwater noted that the City workforce is not reflective of the City and that there are positive steps that can be done by the City to improve the workplace. C. Drinkwater recognized the difficulty of the task and that there could be assistance with funding it. C. Nuon recognized the speakers and noted emails he had received regarding matter. C. Nuon noted there were improvements being done and



that there could be a better approach. C. Chau noted issues may need addressing. C. Rourke supported the efforts and noted the diverse hires in the police and fire departments throughout the years.

8.10. C. Conway - Req. City Mgr. meet with appropriate departments to implement a strategy to maintain the restaurants' outside seating areas free from panhandling activities.

In City Council, seconded by C. Samaras, referred to City Manager. So voted. C. Conway noted the need to alleviate any distractions to businesses downtown. M. Leahy noted the influx of homelessness downtown that needs to be addressed. Manager Donoghue noted efforts to gain control of the situation.

8.11. C. Samaras - Req. City Mgr. provide and update and timeline regarding construction and renovation of Lowell High School.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Samaras commented on task force meetings and the need to update timeline.

8.12. M. Leahy/C. Rourke - Req. City Mgr. begin the process of naming the football field at Cawley Stadium in honor of William "Billy" Rizos.

In City Council, no second needed, referred to City Manager. Adopted per Roll Call vote, 9 yeas. So voted. C. Rourke commented on Mr. Rizos and his leadership ability and ties to the community and that such a recognition would be beneficial to his family. C. Mercier noted she would be honored to bring matter before the Board of Parks. C. Elliott noted the Mr. Rizos was certainly worthy of the recognition. C. Samaras noted Mr. Rizos was a role model for youth.

In City Council **Motion** to suspend by C. Mercier, seconded by M. Leahy to allow following motion to be heard: "Req. City Mgr. find ways and means to prevent large groups of people congregating on the river at the end of Burnham Road; causing loud music, cases of empty beer bottles and excessive noise to residents by C. Mercier/M. Leahy." So voted. In City Council, no second needed, referred to City Manager. So voted. C. Mercier noted the issue has returned and it needs immediate attention for benefit of the neighborhood. M. Leahy noted there are a great number of people gathering at the location. C. Elliott noted there should be no trespassing on City property.



9. ANNOUNCEMENTS

In City Council, none.

10. ADJOURNMENT

In City Council, **Motion** to Adjourn C. Rourke, seconded by C. Samaras. So voted.

Meeting adjourned at 9:30 PM.

Michael Q. Geary, City Clerk