



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: June 12, 2018

Time: 5:30 PM

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

1. ROLL CALL

Roll Call showed 9 present.

M. Samaras presiding.

2. MAYOR'S BUSINESS

2.1. Citation - Steve Purtell (DPW) in recognition of years of service to City.

In City Council, Mayor Samaras presented citation to Mr. Purtell who thanked the body.

3. CITY CLERK

3.1. Minutes of Municipal Facilities SC May 29th; City Council Meeting May 29th; Ad-Hoc Election Laws SC May 30th; Ad-Hoc Election Laws SC June 4th, for acceptance.

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

4. GENERAL PUBLIC HEARINGS

4.1. Vote-Endorse the FY19-FY23 Capital Plan.

In City Council, Given 2nd Reading, hearing held. No remonstrants. **Motion** to adopt by C. Kennedy, seconded by C. Mercier. Adopted per Roll Call vote, 9 yeas. So voted. C. Milinazzo commented on the use of the Mass Works Grants. Manager Donoghue commented on the effects of the grants. C. Kennedy questioned amounts on school improvements. Manager Donoghue noted the priorities that will be set regarding the school work in terms of infrastructure and use of the DPW and school crews. C. Kennedy questioned work to be done at Lowell High School and the plan to be implemented. Manager Donoghue noted the existing issues and the complete system review and establishing protocol to handle problems that may arise. James Donison



(DPW) commented on facilities management study and the work that has begun at Lowell High School. C. Kennedy commented on the existing roof at the high school. Mr. Donison noted repairs are done in-house. C. Kennedy commented on fire house improvements and repairs. Chief Winward (LFD) commented on needed repairs and noted that they are gathering cost estimates for the same. C. Kennedy commented on older capital money available. Conor Baldwin (CFO) noted such money was used to make needed repairs at the high school leaving a small balance. Manager Donoghue commented on need for study and listing priorities. C. Kennedy noted needed improvements to the bathrooms at Cawley Stadium. Mr. Baldwin noted that money was available to cover most of those costs. C. Conway commented on Cawley bathrooms as well as heating systems in the schools and the need to have qualified technician on any issue that may arise. Jim Troup (DPW) noted the restrooms are to be the next project. Manager Donoghue noted that need to have a protocol for the heat and to ensure they are operating appropriately. C. Nuon requested updated information regarding costs to repair fire houses. C. Leahy noted the need to stay on top of heating issues in the schools and to streamline any repair process. C. Leahy commented on the need to tackle smaller issues before they become bigger issues and more costly. C. Leahy noted that any roof on Lowell High School should be done based on immediate need and that reimbursement would be available. C. Leahy noted need for study is not urgent as it is apparent what work needs to be done on the fire houses. C. Leahy questioned work being done on concession stand at Cawley. Mr. Troup noted the upgrades being done on the stand. C. Leahy noted the effort to supply turn-out gear for firemen. C. Mercier noted the need to eliminate the study for fire houses and the work needed is apparent. C. Kennedy noted the study is needed to find out costs. M. Samaras requested update on other projects in Capital Plan as well as information regarding MSBA reimbursement for high school roof. Manager Murphy updated body regarding any possible MSBA reimbursement as well as the additional projects in the plan. C. Elliott noted his approval of the five year plan and noted it was a fluid document and that is was well balanced with positive investments. C. Elliott questioned update for phone systems in the schools. Manager Donoghue noted the need for update. Miran Fernandez (MIS) commented on the updates. C. Kennedy noted that any street paving should line up properly with any work to be done by utility companies. C. Milinazzo noted the plan was a good investment plan with a favorable debt service element indicating affordability. Manager Donoghue noted all of the projects need to be done to ensure future cost savings.

4.2. Loan Order-2019 Capital Improvements.

In City Council, Given 2nd Reading, hearing held. No remonstrants. **Motion** to adopt and refer to Clerk's Office for 20 days by C. Kennedy, seconded by C. Cirillo. Adopted per Roll Call vote, 9 yeas. So voted.



4.3. Ordinance-Amend Ch. 266 Parking Rates.

In City Council, Given 2nd Reading, hearing held. Speaking in favor was Nick Navin (Parking Dir.). Speaking in opposition were Gail Frace, Michael Najaar and Gloria Lee. **Motion** to adopt by C. Milinazzo, seconded by C. Cirillo. Adopted per Roll Call vote, 9 yeas. So voted. C. Kennedy noted the posting of rate. C. Mercier noted that rates have been posted in the garages for years.

4.4. Loan Order-Garage Construction.

In City Council, Given 2nd Reading, hearing held. No remonstrants. **Motion** to adopt and refer to Clerk's Office for 20 days by C. Elliott, seconded by C. Kennedy. Adopted per Roll Call vote, 9 yeas. So voted.

4.5. Ordinance Amend Ch. 272-87 entitled Annual Sewer Use Charge.

In City Council, Given 2nd Reading, hearing held. No remonstrants. **Motion** to adopt by C. Conway, seconded by C. Elliott. Adopted per Roll Call vote, 9 yeas. So voted.

4.6. Ordinance-Amend Ch. 272 Article VI s. 272-86 Metered Service Water.

In City Council, Given 2nd Reading, hearing held. No remonstrants. **Motion** to adopt by C. Conway, seconded by C. Mercier. Adopted per Roll Call vote, 8 yeas, 1 absent (C. Nuon). So voted. C. Elliott requested explanation of rates. Mark Young (Water/Sewer Dir.) outlined the proposal. Manager Donoghue noted users will be paying which include non-profits. C. Elliott noted it was not on taxpayers but on users. Manager Donoghue noted it was the lowest rate in the area.

4.7. Vote-Approve FY19 Budget Appropriations.

In City Council, Given 2nd Reading, hearing held. No remonstrants. **Motion** to adopt FY19 budget of \$361,582,581 by C. Mercier, seconded by C. Kennedy. Adopted per Roll Call vote, 9 yeas. So voted. C. Mercier commented on her review of the budget noting satisfaction as it addressed safety, economic and educational issues. C. Mercier commented on the burden of fixed costs on a budget and that there is no waste and well structured. **Motion** by C. Mercier, seconded by C. Milinazzo to proceed to accept the bottom line budget after the Council has an opportunity to comment on items if they wish. Adopted per Roll Call vote, 8 yeas, 1 nay (C. Kennedy). So voted. C. Milinazzo commented on the vacancies in the police department as well as OPEB liability. Manager Donoghue provided information regarding vacancies on the police force.



Acting Supt. Webb (LPD) commented on filling the vacancies. Mr. Baldwin noted the OPEB challenges by all municipalities and outlined plan to address the liability in the future. C. Conway noted it was a lean budget addressing public safety, education and economic development. C. Conway noted the need for added revenue sources and need to oversee retirement and health costs. Manager Donoghue commented on possible added revenue from the marijuana industry by way of fees and taxes. C. Leahy recognized effort in bringing forth the budget and noted that new growth looked promising. C. Elliott noted it was a comprehensive budget with a lot of information and that it is well balanced. C. Elliott noted the challenges of fixed costs and the importance of the few new positions. C. Elliott commented the need to look for new revenue. C. Cirillo noted banning of plastic bags will generate savings. C. Kennedy noted his preference of going department by department and recognized the team effort in building it. C. Kennedy noted the modest increase in taxes as a result of expenses rising as well and that it is important to maintain the level of service in the City. C. Nuon recognized effort put into budget. M. Samaras commented on costs of trash collection. Mr. Baldwin noted a new contract would be executed once negotiated and that it will be more costly as there are changes in the waste industry. Manager Donoghue noted it was a significant issue and the City must adhere to recycling rules by way of education and enforcement. C. Elliott noted the need to address the issue of recycling as the sorting costs are continuing to rise. C. Kennedy noted that it must be recognized that recycling is good for environment and cheaper. C. Conway questioned school programs regarding recycling. The Superintendent of School commented on the education factor. C. Leahy recognized the attendance of department heads at the meeting. Manager Donoghue recognized the attendance of school administration.

4.8. Ordinance-Establish Revolving Funds pursuant to MGL Ch. 44, section 53E and one half.

In City Council, Given 2nd Reading, hearing held. No remonstrants. **Motion** to adopt by C. Conway, seconded by C. Elliott. Adopted per Roll Call vote, 9 yeas. So voted.

5. COMMUNICATIONS FROM CITY MANAGER

5.1. Informational Reports.

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

A) LowellSTAT Report on the Parking Department – Manager Donoghue commented on prior parking presentation. C. Elliott questioned cost sharing of downtown businesses and commented on the parking enterprise. Manager Donoghue noted the meeting with stake holders and commented on available options for them. C.



Elliott noted the importance of maintaining the garages. Mr. Baldwin noted some of the rate increase will be used as part of maintenance program. Mr. Navin outlined history of rate setting. C. Nuon noted the community comparison and the benefit of having an enterprise fund for parking. C. Milinazzo commented on report regarding the parking fund.

6. VOTES FROM THE CITY MANAGER

6.1. Vote-Authorize City Manager Execute Annual Action Plan FY 18-FY 19.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Milinazzo, seconded by C. Nuon. Adopted per Roll Call vote 9 yeas. So voted. Manager Donoghue noted plan concerns federal grant funding. C. Milinazzo noted the public input on the project and recognized those involved. C. Nuon noted effort of citizen committee.

7. ORDINANCES FROM THE CITY MANAGER

7.1. Ordinance-Amend Ch. 272 by establishing new Article X, entitled Stormwater Management.

In City Council, Given 1st Reading, **Motion** "To refer to Public Hearing on July 24, 2018 at 7 PM" by C. Elliott, seconded by C. Conway. So Voted.

8. REPORTS (SUB/COMMITTEE, IF ANY)

8.1. Ad-Hoc Election Laws SC May 30, 2018 and June 4, 2018.

In City Council, C. Nuon provided the report regarding the listening session with respect to elections, voting and representation systems. C. Cirillo noted that some groups wished to keep current system. C. Kennedy noted that education regarding voting and type of government should be made available. C. Cirillo noted that such an educational element would help disperse the information and that Lowell Votes works to that goal. C. Leahy commented on state legislation concerning voter education. C. Conway noted that Middlesex Community College and Umass-Lowell could partner with City regarding that education. C. Kennedy noted the focus should be local on local government. **Motion** to accept the report as a report of progress by C. Cirillo, seconded by C. Elliott. So voted.

9. CITY COUNCIL - MOTIONS

9.1. C. Cirillo - Req. City Mgr. instruct DPD to provide a report and proposal regarding a plan authored by former LHS headmaster, Peter Stamas, entitled "Lowell - The Flowering City".



In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Cirillo commented on development of plan and moving it forward. C. Cirillo recognized efforts of Paul Marion and Nancy Pitkin.

9.2. C. Cirillo - Req. City Mgr. instruct proper department to provide trash barrels at various locations along Jackson Street especially the segment between Marston and Canal Streets.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Cirillo noted request was from JAMBRA meeting. C. Elliott noted the need for more barrels. C. Nuon stated that there are not enough barrels to cover busy area. C. Kennedy noted that streets need a hard clean as well. C. Leahy noted the need to re-arrange some barrels.

9.3. C. Elliott - Req. City Council discuss establishing a standing sub-committee regarding cannabis control.

In City Council, seconded by C. Noun, referred to City Mayor by Roll Call vote 5 yeas, 4 nays (C. Cirillo, C. Kennedy, C. Milinazzo, M. Samaras). So voted. C. Elliott noted subcommittee would allow more deliberation on the matter as much information will be coming in. M. Samaras questioned need for added subcommittee as it could be handled with existing committees. C. Kennedy noted the Committee as a Whole would be effective. C. Elliott noted the need but recognized if Council viewed differently. C. Cirillo noted review could be done by other bodies. C. Conway noted the issue should be under one umbrella and requested roll call. C. Nuon noted it was a new issue with much information.

9.4. C. Elliott - Req. City Mgr. have DPD apply for Municipal Vulnerability Preparedness Grant from the State.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Elliott commented on program and membership.

9.5. C. Elliott - Req. Mayor invite Captain Crowley (LPD) to council meeting to acknowledge his dedication to the City.

In City Council, seconded by C. Kennedy, referred to Mayor. So voted. C. Elliott noted deserved recognition.

9.6. C. Leahy - Req. City Council send letter of appreciation to Captain Tim Crowley in recognition of his services to the City of Lowell.



In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Leahy noted the need to acknowledge service to the City.

9.7. C. Kennedy - Req. Supt. of Schools provide the City Council with a report explaining why the Lowell School District is subject to an increase in the Charter School Cap relative to MGL Ch. 71 Sect. 89 paragraphs 2 and 3.

In City Council, seconded by C. Cirillo, referred to City Manager/Mayor. So voted. C. Kennedy commented on the formula and that perhaps the City was over charged.

9.8. C. Kennedy - Req. Supt. of Schools and the School Committee consider establishing a mini course to be part of the curriculum for Lowell High School seniors and Adult Education students that would cover the voting process in Lowell and the functions of municipal government.

In City Council, seconded by C. Cirillo, referred to City Manager/Mayor. So voted. C. Kennedy noted his comments prior during subcommittee reports.

10. ANNOUNCEMENTS

In City Council, C. Mercier noted Larry Cavanaugh and Joan/Drew Weber dedications. C. Elliott noted dining for a cause event. M. Samaras recognized LGH cancer walk and Project Citizenship.

11. ADJOURNMENT

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

Meeting adjourned at 8:15 PM.

Michael Geary, City Clerk