



Lowell City Council

Regular Meeting Minutes

October 9, 2018

Michael Q. Geary
City Clerk

1. ROLL CALL

Roll Call showed 9 present.

M. Samaras presiding.

2. MAYOR'S BUSINESS

2.1. Designation - American Planning Association regarding Canalway Cultural District as one of its "Great Neighborhoods" of 2018.

In City Council, M. Samaras introduced Member of Parliament in Guyana, Honorable Kennedy Kwasi Kanbam.

In City Council, **Motion** "To accept and place on file" by C. Kennedy, seconded by C. Elliott. So voted. Andrew Shapiro (DPD) noted the award received by the City and commented on same. Mary Jenkins (Massachusetts Cultural Council) commented on the Canal Cultural District. Angela Cleveland (American Planning Association) commented on the designation as a great neighborhood.

3. CITY CLERK

3.1. Minutes of Environment & Flood Issues SC October 2nd; City Council Meeting October 2nd, 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. Loan Order-2,600,000 to pay costs to acquire by purchase, eminent domain or otherwise 75 Arcand Dr. to serve as site of new High School.

In City Council, Given 2nd Reading. Hearing held. Speaking in favor, James Cook (Lowell Plan). No Remonstrants. **Motion** to adopt by C. Kennedy, seconded by C. Cirillo. Adopted by Roll Call vote 7 yeas, 2 nays (C. Elliott, C. Mercier). So voted. C. Mercier commented on the loan order noting that she was not in favor of displacing businesses especially as there were other options available. C. Mercier recognized that



the public had a preference for a downtown site and she would support that but could not support eminent domain taking for that purpose. C. Elliott noted that demolishing costs had not been addressed as well as site clean-up stating that they were not going to be reimbursable. Manager Donoghue noted that the MSBA has not refused to reimburse those costs at this juncture. C. Elliott noted that costs constantly rise with each estimate and that will be further money on a tax roll which is at the levy limit. Solicitor O'Connor outlined the reason for the loan order as well as the timing of the vote noting that money must be in place before any taking is started. Solicitor O'Connor commented on estimate of relocation costs and the process needed to go through at the State level, in addition to negotiations that are currently active. C. Elliott questioned why moving forward just based on estimates. Manager Donoghue noted the need for the money to be earmarked before the formal taking. C. Elliott noted concern with financial position currently and in the future when more debt is absorbed. C. Cirillo noted demolition costs are always associated with costs of construction. C. Mercier noted that if money in current loan were not enough then any additional money would have to be garnered through subsequent loan order. M. Samaras relinquished Chair to Vice Chair Nuon at 7:30 PM. M. Samaras noted it was a costly project and reviewed the estimated ancillary costs if the project had been done at Cawley Stadium. M. Samaras noted the cost of doing business and that this was a vote to be done for the benefit of the City. C. Mercier noted any discussion regarding Cawley costs were a political play as there is a knowledge that the costs will be rising at the downtown site and merely looking to cover themselves when that happens. C. Milinazzo noted that there has been much financial information noting there would be financial stress but it is affordable by the City further noting that some debt will be retired when new debt comes on the books. C. Kennedy noted debate ended when referendum was passed and that the loan order should be authorized. Solicitor O'Connor noted that there would be a separate vote for the actual taking of the property. Vice Chair Nuon returned Chair to M. Samaras at 7:40 PM. C. Kennedy noted that a court will decide on the money portion if the parties cannot resolve the issue. C. Elliott recognized the referendum but noted it did not entail a money figure and that the body must be responsible with the finances of the City.

5. UTILITY PUBLIC HEARING

5.1. National Grid - Request installation of electric conduit on Andrews Street for service to Markley Data Center.

In City Council, Given 2nd Reading. Hearing held. Speaking in favor, David Boucher (National Grid). No remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Conway, seconded by C. Nuon. So voted. C. Leahy requested update regarding smoke stacks at Markley Center.



6. COMMUNICATIONS FROM CITY MANAGER

6.1. Motion Responses.

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

A) Problematic Areas – C. Nuon noted it was a comprehensive report. C. Mercier noted the report but stated that downtown has an issue with homeless people who are not acting in decent manner and the problem needs to be resolved for the residents and business owners who are concerned with such activity. Manager Donoghue recognized the problem and that they are working to resolve it with the LPD and the personnel at the shelter. C. Leahy noted that downtown business and residents are annoyed with current events. Supt. Richardson (LPD) noted the challenge and the continued effort to resolve it.

B) Perry Street – C. Kennedy noted plan should be effective and the 60 trial will be beneficial.

6.2. Informational

C) Relocation Specialist – Manager Donoghue outlined the contract and the costs involved. C. Kennedy noted that there was still money left in the contract. C. Mercier noted that there was a separate cost for the appraisal. C. Mercier questioned “special costs” notation in the contract. Solicitor O’Connor noted terms of the contract which needed State approval. C. Mercier questioned when final figures would be available. Manager Donoghue noted negotiations were continuing and final figures would come with State approval. C. Elliott questioned plan for eminent domain and what property owners’ position was on the building. Solicitor O’Connor noted that the path is set for approval at the end. Manager Donoghue noted that consultants for each group are in communication and the appraisal cost was \$3,000.

D) Cawley Ancillary Cost – None.

6.3. Communication-Reappoint Gary Perrin to Zoning Board of Appeals.

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. Communication-Reappoint Thomas Linnehan to Planning Board.

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



7. VOTES FROM THE CITY MANAGER

7.1. Vote-Approve Supplemental Appropriation of 35,535 to allocate funding to the Election Office to provide staffing coverage for the November election.

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

8. REPORTS (SUB/COMMITTEE, IF ANY)

8.1. Cannabis Control SC October 9, 2018.

In City Council, C. Elliott provided the report noting attendance and discussion regarding cannabis permitting process and limits on cultivation centers. C. Elliott noted the public process involved. Manager Donoghue commented on the many issues to address when new regulations are developed. C. Conway noted that there are many regulations coming forward that the public needs to know. C. Elliott noted that the public use issue needs to be regulated. C. Conway noted that public will need information along the way. Manager Donoghue noted continued work with the subcommittee. **Motion** to accept the report as a report of progress by C. Conway, seconded by C. Mercer. So voted.

8.2. Municipal Facilities SC Joint with Lowell School Committee Facilities SC October 9, 2018.

In City Council, C. Leahy provided the report noting attendance and discussion regarding municipal and school building maintenance and repair pertaining to Collins Center Report; in addition provided update regarding condition of Fire Houses in the City. C. Leahy noted motion approved which would have City Manager work with school administration and DPW to develop new approach to repair and maintaining buildings in the City. C. Cirillo noted Department of Justice grant awarded to City to ensure safe school; in addition the use of MSBA programs for repairs done in schools. **Motion** to accept the report as a report of progress by C. Kennedy, seconded by C. Elliott. So voted.

8.3. Wire Insp. - Siena Engineering Group, Inc. on behalf TC Systems, Inc. (AT&T) request installation of telecommunications conduit in vicinity of 100 Chelmsford Street.

In City Council, **Motion** to accept and adopt the accompanying order by C. Milinazzo, seconded by C. Nuon. So voted.



9. PETITIONS

9.1. Misc. - U.P.M. Real Estate on behalf of Bernette Joslin request installation of handicap parking sign at 142 Jewett Street, Unit 1.

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

9.2. Misc. - Jeff Sarra (Batten Brothers, Inc.) request refacing of (2) existing overhanging signs at 15 and 18 Hurd Street.

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

10. CITY COUNCIL - MOTIONS

10.1. C. Leahy - Req. City Mgr. have DPW provide a report regarding the repaving, sidewalk repair and curbing on Inland Street.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Leahy noted the need for much work on the street as there are drainage issues and paving issues as well.

10.2. C. Mercier - Req. City Mgr. find ways and means to increase safety measures for pedestrians crossing in front of City Hall on Merrimack Street.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Mercier noted history of accidents in the area and offered some suggestions for improvement. C. Leahy noted that work has begun on improvement plans for the area.

11. ANNOUNCEMENTS

In City Council, none.

12. ADJOURNMENT

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

Meeting adjourned at 8:10 PM.

Michael Geary, City Clerk