



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: October 16, 2018

Time: 6:30 PM

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

1. ROLL CALL

Roll Call showed 8 present, 1 absent (C. Leahy).

M. Samaras presiding.

C. Kennedy requested moment of silence in darkened chamber for David J. Cunningham, Sr.

C. Mercier requested moment of silence in darkened chamber for Gloria J. (Secchiaroli) Leahy. C. Elliott commented on life of Gloria Leahy.

2. CITY CLERK

2.1. Minutes of Cannabis Control SC October 9th; Municipal Facilities SC Joint With Lowell School Committee Facilities SC October 9th; City Council Meeting October 9th, for acceptance.

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

C. Kenedy requested Suspension of Rules with no objection regarding the upcoming Town & City Festival which is a 2 day music and arts festival October 19th and 20th throughout the Downtown. Chris Porter event organizer commented on festival. So Voted.

3. COMMUNICATIONS FROM CITY MANAGER

3.1. Motion Responses.

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



A) Motion Response - 15 minute parking at 435 Market St C. Mercier questioned Traffic Engineer regarding signage. Natasha Vance commented that she had spoken with current and previous Parking Directors and that the compromise was 1 spot.

B) Motion response - Suttle Street One Way C. Mercier questioned if there was a discussion with the neighborhood. Natasha Vance said she would contact the residents regarding the area.

C) Motion Response - Upkeep of Grounds at School Buildings C. Milinazzo said he would like to table this response for additional information. C. Kennedy commented that it would be a good idea. City Manager Donoghue said she would meet with the Supt. and the School Department with respect to the schedule of maintenance. C. Elliott and C. Conway also commented on the maintenance of schools.

3.2. Informational Reports

D) Informational - Relocation Plan Approval C. Mercier questioned the plan. Asst. City Manager Keefe-Mullin reviewed plan and noted cost are not finalized. City Manager Donoghue reviewed process regarding submitting the plan.

E) Informational - Markley Generator Operation

City Manager Donoghue explained that the staff in Development Services had visited to report any findings regarding complaints about the site. Mr. Slagle, Director of Development Service did not find any evidence regarding the complaints.

Registered Speakers: Jacob Fortes and Nancy Fortes addressed the City Council regarding their concerns with Markley Group Facility.

C. Mercier suggested a meeting with the Markley Group and the residents as well as the Development Services. C. Milinazzo agreed that it make sense to get everyone in a room so that they may co-exist. C. Cirillo commented that she would like to get copy of the Conservation Commissions report. C. Kennedy commented that he has visited the home of the complainant and that the City is fortunate to have the Markley Group here but that it has to be realized that it is a residential neighborhood. C. Kennedy would like this matter to be referred back to the City Manager for some harmony. C. Conway commented that players need to get together and find common ground. C. Nuon commented that the Council should support decision of Planning Board and Conservation Commission. City Manager Donoghue said she would follow up with city boards and residents. C. Kennedy moved, seconded by C. Cirillo to refer matter back to the City Manager for report and recommendation.

3.3. Communication-Appoint Kathleen Cullen-Lutter to Board of Health.



In City Council, read, **Motion** to adopt by C. Kennedy, seconded by C. Nuon. Adopted per Roll Call vote 8 yeas, 1 absent (C. Leahy). So voted.

3.4. Communication - City Manager request Out of State Travel (1) HHS.

In City Council, read, **Motion** to adopt by C. Kennedy, seconded by C. Nuon. Adopted per Roll Call vote 8 yeas, 1 absent (C. Leahy). So voted.

4. VOTES FROM THE CITY MANAGER

4.1. Vote-Authorize City Manager Ex. MOU City Engineers 7.1.18-6.30.21.

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 8 yeas, 1 absent (C. Leahy). So voted.

4.2. Vote-Authorize City Manager Ex. MOU Local 2532 7.1.18-6.30.21.

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 7 yeas, 1 abstain (C. Milinazzo), 1 absent (C. Leahy). So voted.

4.3. Vote-Authorize City Manager Ex. MOU SEIU Local 888 Ch. 159 Water and Wastewater 7.1.18-6.30.21.

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 8 yeas, 1 absent (C. Leahy). So voted.

5. CONSTABLE BONDS

5.1. Communication - City Mgr. request approval of Constable Bonds for Jose L. Liriano and Steven J. Brouillette.

In City Council, read, **Motion** to adopt by C. Kennedy, seconded by C. Nuon. Adopted per Roll Call vote 8 yeas, 1 absent (c. Leahy). So voted.

6. REPORTS (SUB/COMMITTEE, IF ANY)

6.1. Finance SC Joint With Lowell School Committee Finance SC October 16, 2018.

In City Council, C. Elliott provided the report noting attendance and discussion regarding FY 19 school budget deficit. C. Elliott noted that the deficit is 4.6 million on



City side. C. Elliott also noted there have been some additional revenues that have come in from the State that have helped with the deficit for this year which narrows it to 2.5 million dollars. C. Elliott also explained that the Superintendent has also implemented a hiring freeze to help reduce the deficit. C. Elliott also noted other contributing factors to the deficit which was Transportation (regular and SPED Transportation), DCF Placements as well out of district tuition. C. Elliott noted there was also discussion regarding offset and City's obligation and payment back to State. C. Elliott also noted there was a motion to have the City Manager provide a report with respect to cost associated with transportation, responsibility of the transportation and the contracts and how the gap, deficit will be closed. Report accepted as a report of progress by **Motion** of C. Conway, seconded by C. Mercier. So Voted

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

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

7. PETITIONS

7.1. Misc. - Sophanarath J. Yim (Yim's Variety Store) request installation of "15 Minute Park" sign at 742 Broadway Street.

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

7.2. Misc. - Universal Apartment Rentals, Inc. for benefit of Nelida Soto request installation of handicap parking sign at 19 Bowers Street, Unit #1.

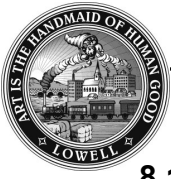
In Council, **Motion** to refer to Traffic Engineer for report and recommendation by C. Nuon, seconded by C. Conway. So voted.

7.3. Misc. - Maxine Ward request discussion regarding handicap discount at City parking garages.

Maxine Ward spoke regarding her petition.

In Council, **Motion** to refer to City Manager for report and recommendation by C. Kennedy, seconded by C. Elliott. So voted.

8. CITY COUNCIL - MOTIONS



8.1. C. Conway/C. Milinazzo - Req. City Mgr. have the proper department supply safety flags to school crossing guard personnel.

In City Council, no second needed, referred to City Manager. So voted.

8.2. C. Nuon - Req. City Mgr. invite Justice Jay Blitzman of the Juvenile Court to the Public Safety SC to provide an overview of the "Restoring Justice Program".

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

8.3. C. Nuon - Req. City Mgr. have LPD and LFD provide a report regarding officer time spent responding to any incidents at existing medical marijuana cultivation or retail facilities.

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

8.4. C. Kennedy - Req. City Mgr. instruct Transportation Engineer to report on feasibility of establishing "No Parking" zones at certain intersections along Pawtucket Blvd.

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

9. CITY COUNCIL - EXECUTIVE SESSION

9.1. Executive Session - Provide an update to the Council on contract negotiations with the Lowell Police Association and Local 853 International Association of Firefighters, the disclosure of which would have a detrimental effect on the City's bargaining position as well as pending litigation with Local 853 International Association of Firefighters v. City of Lowell, public discussion would 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. Mercier to enter Executive Session for stated purpose and adjourn from Executive Session (8:16 PM). Adopted per Roll Call vote, 8 yeas, 1 absent (c. Leahy). So voted. M. Samaras stated that body would adjourn from the Executive Session.

10. ANNOUNCEMENTS

C. Mercier noted upcoming Salvation Army fundraiser at Gervais Lincoln October 20th 6AM till 3PM

11. ADJOURNMENT



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

Meeting adjourned at 8:50 PM in Executive Session.

Angela Gitschier, Assistant City Clerk