



# Lowell City Council

## *Regular Meeting Minutes*

Michael Q. Geary  
City Clerk

**Date:** October 30, 2018

**Time:** 6:30 PM

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

### 1. ROLL CALL

Roll Call showed 8 present.

Vice Chair Nuon presiding. M. Samaras arrived at 7:25 PM and presided over remainder of the meeting.

C. Mercier requested moment of silence in darkened chamber for William G. Koumantzelis; C. Leahy requested moment of silence in darkened chamber of James G. Kouloheras; and C. Milinazzo requested moment of silence in darkened chamber for 11 victims of the Pittsburg Synagogue shooting along with the injured first responders.

### 2. CITY CLERK

#### 2.1. Minutes of Environment & Flood Issues SC October 23rd; City Council Meeting October 23rd, for acceptance.

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

### 3. COMMUNICATIONS FROM CITY MANAGER

#### 3.1. Motion Responses.

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

**A) Andover St. Sidewalk Improvements** – C. Mercier requested time line for repairs to be done. Jim Donison (DPW) noted the work would begin at the start of the next fiscal year and it would take several years to complete. Manager Donoghue noted they would provide updates throughout the process. C. Conway commented on the funding. Manager Donoghue noted the need to phase in the repairs especially when it comes to ADA compliance and that grants could be used to comply with the ADA. C. Leahy noted the need to include street repair as well as sidewalk repair. C. Leahy noted the



need to ensure that public utilities make the repairs they were contracted to make. C. Conway noted that repairs should be addressed during course of good weather and not at the end of the season. Mr. Donison noted the need to budget yearly for repairs on that street.

**B) City Hall Pedestrian Safety** – C. Mercier noted signage would not be effective to increase safety and that flashing lights would be preferable. Manager Donoghue recognized the problem in the area and noted that they are applying for Mass Grants to assist with funding. Natasha Vance (Transportation Engineer) noted that lights are more effective for that area.

**C) Dutton-Market Crossing** – C. Leahy commented on the report. Ms. Vance noted the best option and that they would need to see if that could be added to the electrical box operating the lights.

**D) Commercial Vehicle Parking** – Supt. Richardson (LPD) commented on existing ordinance and providing information to violators as well as ticketing if needed. C. Elliott noted that sometimes ticketing is the only solution.

**E) Mounted Horseback Units** – C. Mercier commented on the expenses and that is would not be viable at this point but noted it is an effective means to control crowds. C. Elliott noted the costs are too high though it is an effective approach. Supt. Richardson commented on other measures to control the crowds. C. Conway noted the use of dogs to control crowds. Supt. Richardson noted they are used and the department has them and also noted that the uses of bicycles are effective as well.

**F) North Common Basketball Court Benches** – C. Mercier commented on quick response and noted that there may be need to provide benches for parents to use. Mr. Donison noted that there may be benches available for that use.

### **3.2. Informational Reports**

**G) COPS Grant** – Manager Donoghue noted the report and securing the grants that would be matched by the City and would be for a two year period. C. Mercier noted the effectiveness of the grant writer for the City, Mary Ann Ballotta.

### **3.3. Communication-Appoint Zoe Arthur to Election Commission.**

In City Council, read, **Motion** to adopt by C. Kennedy, seconded by C. Conway. Adopted per Roll Call vote 8 yeas, 1 absent (M. Samaras). So voted. Ms. Arthur was present and thanked the Council.



#### **4. VOTES FROM THE CITY MANAGER**

##### **4.1. Vote-Apply.Accept.Expend 182,400 from Executive Office of Elder Affairs for Council on Aging.**

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Kennedy, seconded by C. Mercier Adopted per Roll Call vote 8 yeas, 1 absent (M. Samaras). So voted.

##### **4.2. Vote-Approval and endorsement of the Energy Efficiency Plan for the City of Lowell.**

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Milinazzo, seconded by C. Cirillo. Adopted per Roll Call vote 8 yeas, 1 absent (M. Samaras). So voted.

##### **4.3. Vote-Authorize CM Execute License Agreement-16 Jackson St.-overhanging sign.**

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Kennedy, seconded by C. Conway. Adopted per Roll Call vote 8 yeas, 1 absent (M. Samaras). So voted.

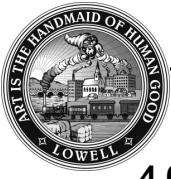
##### **4.4. Vote-Authorize Mgr. Ex. MOU MVEA Inspectors Unit 7.1.18-6.30.21.**

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Kennedy, seconded by C. Conway. Adopted per Roll Call vote 8 yeas, 1 absent (M. Samaras). So voted. C. Leahy questioned how many employees were part of the union and what were the jobs covered. C. Cirillo noted the end date of the contract.

VC Nuon returned Chair to M. Samaras at 7:25 PM.

##### **4.5. Vote-Authorize Mgr. Ex. MOU MVEA Unit C 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 9 yeas. So voted. Conor Baldwin (CFO) noted union represented supervisors of various departments.



#### **4.6. Vote-Authorize Mgr. Ex. MOU MVEA Unit D 7.1.18-6.30.21.**

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Mercier, seconded by C. Cirillo. Adopted per Roll Call vote 9 yeas. So voted. C. Leahy commented on Unit D. Manager Donoghue noted they were supervisors as well.

### **5. ORDINANCES FROM THE CITY MANAGER**

#### **5.1. Ordinance-Create New Position and Salary of Syringe Collection Program Coordinator at Health and Human Services Dept.**

In City Council, Given 1<sup>st</sup> Reading. **Motion** to refer to Public Hearing on November 13, 2018 at 7 PM by C. Cirillo, seconded by C. Conway. So voted.

### **6. REPORTS (SUB/COMMITTEE, IF ANY)**

#### **6.1. Finance SC Joint With Lowell School Committee Finance SC October 30, 2018.**

In City Council, C. Elliott provided the report noting attendance and discussion regarding school budget issues as well as an approach to prevent shortfalls in the future. C. Elliott noted expenses with food services as well as transportation and stated that those expenses are constant and need to be addressed. C. Elliott noted that raises in the school department should have been adjusted as there was not enough money budgeted to cover them. C. Elliott noted that the City was not in a position to fund the current deficit and that the school administration must move to correct the shortfall. C. Leahy noted that there was just poor money management at the school administration and there should be consequences to not performing your job. C. Kennedy posed several questions regarding outside school audit. M. Samaras indicated that the report should be coming within short time and noted the reason for lack of information. Solicitor O'Connor commented on the audit delays and the causes for them. C. Kennedy commented on scope of the audit. **Motion** to accept the report as a report of progress by C. Leahy, seconded by C. Conway. So voted.

### **7. PETITIONS**

#### **7.1. Misc. - Ryan Bettencourt request installation of an overhanging fabric awning for a take-out restaurant (Luke's) at 1317 Middlesex Street.**

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

#### **7.2. Misc. - Sherri Barboza request installation of 4-Way Stop Sign at the intersection of High and Rogers Streets.**



In Council, **Motion** to refer to Transportation Engineer for report and recommendation by C. Nuon, seconded by C. Milinazzo. So voted. Ms. Barboza addressed the Council.

## **8. CITY COUNCIL - MOTIONS**

### **8.1. C. Leahy/C. Nuon - Req. City Mgr. have proper department check on lighting along river and canal walkways throughout the City.**

In City Council, no second needed, referred to City Manager. So voted. C. Leahy noted the motion generated from a neighborhood group meeting.

### **8.2. C. Leahy/C. Nuon - Req. City Mgr. have proper department provide a report regarding installation of cameras at intersections in the downtown.**

In City Council, no second needed, referred to City Manager. So voted. Registered speaker, Jack Moynihan, addressed the Council. C. Leahy commented that costs should be studied and funding should be obtained.

### **8.3. C. Leahy/C. Nuon - Req. City Mgr. have Transportation Engineer provide a report regarding operations of pedestrian crossings in the downtown.**

In City Council, no second needed, referred to City Manager. So voted. C. Leahy noted the motion generated from a neighborhood group meeting.

### **8.4. C. Elliott - Req. City Mgr. have City Solicitor prepare proper vote to change election of City Council from 9 current at-large councilors to 6 ward and 3 at-large councilors - effective next City election 2019.**

In City Council, seconded by C. Mercier for discussion only, referred to an Executive Session. So voted. M. Samaras requested ruling from City Solicitor regarding whether motion was proper. Solicitor O'Connor ruled that the motion was not appropriate for this forum and it was a subject matter for a subcommittee as well as an executive session which had not allowed the release of information. Solicitor O'Connor noted any public discussion of this matter would be harmful the position of the City during the litigation currently under way. Motion by C. Milinazzo, seconded by C. Cirillo to remove discussion of the motion to an Executive Session. Adopted per Roll Call vote 8 yeas, 1 nay (C. Elliott). So voted. C. Mercier recognized right of Mayor to request opinion and that the discussion would be best in Executive Session due to the current litigation. C. Elliott stated his reasoning behind motion and that he was looking after public from incurring unnecessary expenses. C. Kennedy noted that motion called for a discussion in Executive Session and that is where it should take place.



**8.5. C. Elliott/C. Mercier - Req. City Council have Community Teamwork present program being implemented to address youth homelessness in the City.**

In City Council, no second needed, referred to City Manager. So voted. C. Mercier commented on positive programs used to address the homelessness issue. C. Elliott commented on the past CTI meeting which outlined various grants that will be used to address the issue. M. Samaras noted that the issue is prevalent at Lowell High School. C. Kennedy commented on upcoming fundraiser to assist with youth homelessness in the future.

**8.6. C. Milinazzo - Req. City Mgr. meet with representatives from RCN to discuss bringing a second option to residents for internet, cable and telephone services.**

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Milinazzo noted the need to give residents a second option. C. Conway noted competition benefits the consumers.

**9. ANNOUNCEMENTS**

In City Council, none.

**10. ADJOURNMENT**

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

Meeting adjourned at 8:10 PM.

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Michael Geary, City Clerk