



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: January 11, 2022

Time: 6:30 PM

Location: City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA /
Zoom (Hybrid)

1. ROLL CALL

Roll Call showed 11 present. (C. Rourke – Zoom)

M. Chau presiding.

C. Mercier requested moment of silence in darkened chamber for Thomas Livingston, Jr.

2. MAYOR'S BUSINESS

2.1. Communication Remote / Zoom Participation:

Meetings Will Be Held In Council Chamber With Public Welcome And By Using Remote Participation As Follows: Members Of The Public May View The Meeting Via LTC.Org (On-Line; Live Streaming; Or Local Cable Channel 99). 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 Issued Zoom Link To The Meeting. Email Address Is MGEARY@LOWELLMA.GOV. If No Access To Email You May Contact City Clerk At 978-674-4161. All Request Must Be Done Before 4:00 PM On The Day Of Meeting. For Zoom -

[HTTPS://SUPPORT.ZOOM.US/HC/EN-US/ARTICLES/201362193-JOINING-A-MEETING](https://support.zoom.us/hc/en-us/articles/201362193-joining-a-meeting)

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

2.2. Recognition - Kerouac Centennial Kick-Off In March. (Steve Edington/Jim Sampas - Kerouac Centennial Group)

In City Council, **Motion** "To accept and place on file" by C. Scott, seconded by C. Gitschier. So voted. Mr. Edington commented on upcoming event. Mr. Sampas commented on proposed museum in recognition of Mr. Kerouac. M. Chau commented on the works of the author. C. Mercier described the popularity of Jack Kerouac throughout the world.



3. CITY CLERK

3.1. Minutes Of City Council Special Meeting December 27th; City Council Inauguration January 3rd; City Council Regular Meeting January 4th, For Acceptance.

In City Council, minutes read, **Motion** “To accept and place on file” by C. Jenness, seconded by C. Yem. So voted.

4. GENERAL PUBLIC HEARINGS

4.1. Ordinance To Amend Sec. 9 Flood Plain Overlay.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Jenness, seconded by C. Drinkwater. Adopted per Roll Call vote 11 yeas. So voted.

5. COMMUNICATIONS FROM CITY MANAGER

5.1. Informational Reports.

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

A) Informational - FY2022 Q3 and Q4 Tax Billing – Manager Donoghue commented on the report regarding third and fourth quarter real estate bills. Conor Baldwin (CFO) commented on the procedures for producing the bills and distributing the bills and the timeline involved with State regulations. Mr. Baldwin noted a combination of MUNIS malfunction and lack of staffing oversight as reasons for late distribution of the bills and that this would not affect the taxpayer in any fashion. C. Mercier noted that tax payer should not be penalized in any manner. Mr. Baldwin noted there would be no penalties. C. Leahy questioned if there would be interference with payments by mortgage holders. Manager Donoghue noted that bigger institutions would just move in the normal fashion. C. Jenness commented on the delay and the effect on revenues and operation costs in the City and further commented on the software issue with MUNIS. Mr. Baldwin noted there would be no effect on operation costs and revenues and that the MUNIS system is fully operational noting a system wide error. C. Nuon noted this has not happened prior and that attention has been brought to resolving the matter. Mr. Baldwin noted moving forward the steps would begin earlier in the process. C. Nuon noted the need to get information out to the residents via the website. C. Gitschier questioned responsibility of vendor under the contract to deliver the bills. Mr. Baldwin noted City must provide the file to vendor before they can act and that there is no time reference in the contract. C. Gitschier noted the City should be aggressive in informing residents of the situation and the effect on them. C. Yem noted the need to send separate letter to residents outlining the situation.



5.2. Communication - Planning Board Recommendation On Zoning Amendment Regarding Flood Plain Overlay District.

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

5.3. Communication - Appoint Katy Aronoff To The Pollard Memorial Library Board Of Trustees.

In City Council, **Motion** to adopt by C. Nuon, seconded by C. Mercier. Adopted per Roll Call vote 11 yeas. So voted.

5.4. Communication - Re-Appoint Paul Francoeur To Cemetery Commission.

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

6. VOTES FROM THE CITY MANAGER

6.1. Vote - Authorize CM To Enter Into Lease With Hot Pot District LLC At 135 Middlesex St.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Scott, seconded by C. Yem. Adopted per Roll Call vote 11 yeas. So voted. Christine McCall (DPD) commented on the lease and introduced the owners of the business who thanked the body.

6.2. Vote - Accept Gift From Lowell Five.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Gitschier, seconded by C. Jenness. Adopted per Roll Call vote 11 yeas. So voted. C. Leahy requested letter of thanks to the Lowell Five.

7. REPORTS (SUB/COMMITTEE, IF ANY)

7.1. Wire Inspector Reports:

- 1. Boston Gas D/B/A National Grid - Request Installation Of New Low Pressure Gas Main On Gold Street To The End Of School Street;**
- 2. Boston Gas D/B/A National Grid - Request Installation Of New Plastic Gas Main At 43 Dancause Road; And**
- 3. Comcast - Request Installation Of PVC Conduit To Existing Pole At Howe And Davidson Streets.**

In City Council, **Motion** to accept and adopt accompanying orders by C. Drinkwater, seconded by C. Robinson. So voted.



8. PETITIONS

8.1. Misc. - Diane Darisse Request Installation Of Handicap Parking Sign At 33 Canada Street.

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

8.2. Misc. - Corey Andrade Request Removal Of Handicap Parking Sign At 34 Epping Street,

In City Council, **Motion** to refer to Transportation Engineer for report and recommendation by C. Drinkwater, seconded by C. Yem. So voted.

8.3. Misc. - Valmaria Malonado Flynn (Advocates For Authenticity) Request Possible Grant Funding To Provide Services For Lowell Residents.

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

9. CITY COUNCIL - MOTIONS

9.1. C. Yem - Req. City Mgr. Have Proper Department Place Wreaths And American Flags At All Veteran Gold Star Squares/Poles Throughout The City On Memorial Day.

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Yem noted the request came from a family of a veteran and that it can be done proactively with good management.

9.2. C. Nuon/C. Yem - Req. City Mgr. Provide An Update On The Design And Timeline To Improve The Roberto Clemente Baseball Field.

In City Council, no second needed, referred to City Manager. So voted. Registered speaker, Maria Claudio, via Zoom addressed the body. C. Nuon commented on the group that has been working towards completion of the field and that new funds will be available. C. Robinson commented on the efforts of Ms. Claudio in organizing events for the community and the use of the field.

9.3. C. Nuon/C. Drinkwater - Req. City Mgr./CFO Develop A Plan To Use A Portion Of The Federal ARPA Funding To Make Improvements To The City Parks To Address The Negative Health Impacts Caused By The Covid-19 Pandemic.

In City Council, no second needed, referred to City Manager. So voted. C. Nuon noted that the parks are a big part of the cultural life in the City and that new funding may be available to enhance them. C. Drinkwater noted the increase in use of the parks during the pandemic and with that came need for increased resources. C. Gitschier cautioned the use of ARPA money as there is a limited amount to go around. Conor Baldwin (CFO) noted that such funding would first go to replacing revenue and that the US



Treasury recently released regulations on how funding can be used. Manager Donoghue noted the funding has been used to replenish lost revenue. Manager Donoghue noted the community input regarding funding and that there is simply not enough dollars to satisfy all of the needs. C. Robinson questioned the use of Community Preservation funding with the parks. Christine McCall (DPD) noted it was the first year of the program and outlined schedule and amount of funding available.

9.4. C. Drinkwater/C. Nuon - Req. City Mgr. Provide An Update On The Community Impact Submitted For ARPA Funding Suggestions, And The Process For Budgeting/Allocation Of ARPA Funds.

In City Council, no second needed, referred to City Manager. So voted. C. Drinkwater commented on reviewing the community input regarding funding and to set process for the distribution of the funds. C. Nuon noted the need to prioritize the funding to ensure it is towards best interests of the City.

9.5. C. Nuon - Req. City Mgr. Have CFO/DPD Investigate The Benefit Of Establishing An Affordable Housing Trust.

In City Council, seconded by C Jenness, referred to City Manager. So voted. C. Nuon noted that once a subcommittee is established they could review the request.

9.6. C. Gitschier - Req. City Mgr. Have Proper Department Review Developmental Services Web Page To Ensure Proper Functioning And Updated Information For Residents.

In City Council, seconded by C Mercier, referred to City Manager. So voted. C. Gitschier noted that the site needs to be up to date so that it is useful and not a source of aggravation for users.

9.7. C. Gitschier - Req. City Mgr. Provide Council With An Updated Report On Heating Issues In All Municipal Buildings And Schools.

In City Council, seconded by C Mercier, referred to City Manager. So voted. C. Gitschier noted the need to have policies in place and properly trained employees in place to do the work. C. Gitschier noted concern with air quality in the buildings and there should be aggressive maintenance approach with immediate response by departments for building issues that arise. C. Gitschier noted that need for a strong workforce to meet the modern day challenges with operating systems in the buildings. C. Mercier noted the need to service a modernized heating/cooling systems. C. Scott noted the need to respond to concrete information being provided. C. Yem noted if staff is not able to provide needed services then it should be done by outside contractors. Manager Donoghue noted attempt to hire outside and that the responses were not adequate. C. Drinkwater commented on prior joint subcommittee meetings that were beneficial. C. Robinson noted that staffing issues are not new and that money is everything and that there needs to be a human investment to attract and keep talent.



9.8. C. Gitschier - Req. City Mgr. Update Council On The Current Renovation Project At Lowell High School; Include The Current Schedule, Change Orders And Future Maintenance Staffing Levels.

In City Council, seconded by C Jenness, referred to City Manager. So voted. C. Gitschier noted pandemic will shift timelines and costs on the project so that they must be identified early. C. Gitschier noted the vital need to ensure that the proper people can maintain the state of the art building and that there should be a possible hiring of facilities director/department to ensure that. Manager Donoghue noted project is currently on time and budget but noted that the world market is changing and this project will be affected. C. Jenness noted timeline and budget information is vital and should be provided to the body as this is the most important project in the City. C. Rourke commented on the importance of information and that representatives of the companies should be part of the reporting procedures to the Council.

9.9. C. Gitschier/C. Robinson - Req. City Mgr. Provide Council With The City's Policies Regarding Catch Basin Cleaning.

In City Council, no second needed, referred to City Manager. So voted. C. Gitschier requested the process and polices for the cleaning to provide accurate information for the procedures. C. Gitschier noted budgeted amount for the cleaning seems to indicate that not a lot is being done. C. Robinson noted the need to schedule routine maintenance.

9.10. C. Robinson/C. Gitschier - Req. City Mgr. Provide Council With A Detailed Response On The City's Current Policy, Practice And Procedures Regarding Hiring Of New Employees And/Or Promotional Appointments.

In City Council, no second needed, referred to City Manager. So voted. The following registered speakers, Sue Kim; Justin Ford; and Bobby Tugbiyele, addressed the Council. C. Robinson noted ongoing issues with hiring, promotion and retaining of employees. C. Robinson commented on recent human relations audit report and the need to get away from negative perceptions. C. Gitschier noted a policy on hiring should be in place and consistent throughout the City and that current report did not show a substantial response rate. C. Gitschier noted the need to hire proper people who will stay with City long-term. C. Scott noted that there should be referral process in place as well. C. Yem noted need to have established evaluation process and exit interview process. C. Nuon noted diverse approach best serves the City.

9.11. C. Robinson - Req. City Mgr. Hire Outside Legal Firm To Provide Detailed Outline On Steps Necessary To Change The City Charter To Include The Position Of City Solicitor As A Council Oversight Employee Similar To The City Clerk, City Auditor And The City Manager.

In City Council, seconded by C Scott, referred to Personnel SC. So voted. C. Robinson requested amendment with no objections stating that Manager explore costs to prepare RFP to outline needed steps for remainder of motion. C. Robinson noted the need to



explore if any changes are needed and to get Council more involved in a policy basis. C. Jenness noted his filing a disclosure to discuss this matter and outlined Massachusetts General Laws which would run counter to the motion in accordance with Plan E form of government. C. Jenness noted such an effort could open door to any department in the City. C. Gitschier noted information request are always helpful. C. Drinkwater noted that there are always pros and cons with request and that this would have more cons in terms of management ability but gathering information could be a positive step if moving forward. C. Scott noted it is not at point at which to do this type of review. C. Drinkwater commented that it would be best served if discussed at a personnel subcommittee. C. Leahy noted matter should be voted up or down. C. Nuon supports gathering of information and assessing costs associated with it. Substitute **Motion** by C. Rourke to refer matter to Personnel SC, seconded by C. Nuon. Adopted per Roll Call vote 10 yeas, 1 nay (C. Leahy). So voted.

9.12. C. Robinson - Req. City Mgr. Update Council Regarding Flooding Issues On Jewett, Coburn And Lakeview Avenue.

In City Council, seconded by C Nuon, referred to City Manager. So voted. C. Robinson noted flooding has been a long term issue and described the area noting sewage issues as well.

9.13. C. Scott - Req. City Mgr. Have Appropriate Department Prepare A Plan For Street Sweeping That Includes Short Term Removal Of Vehicles And Enforcement Of The Policy, In Order For Streets To Be Properly Cleaned.

In City Council, seconded by C Mercier, referred to City Manager. So voted. Registered speaker, Bradley Buitenhuys, addressed the Council. C. Scott noted the efforts of the Litter Crew and commented on the need to have strict polices for cleaning. C. Jenness commented on the downtown area and the need for continued cleaning. C. Gitschier noted the need for properly trained staff and enough equipment to ensure successful results. C. Mercier noted the need for equipment to have done in-house. C. Robinson noted that other communities have processes and that enforcement is key to a successful procedure. C. Yem was supportive of the motion and that areas need attention and that proper signage would be helpful. C. Rourke commented that review of similar cities to Lowell could produce a good system.

9.14. C. Scott - Req. City Mgr. Have Appropriate Department Provide A Status Update On Waterpark And Pool Openings For The Coming Summer.

In City Council, seconded by C Drinkwater, referred to City Manager. So voted. C. Scott noted the need for proactive plan for proper opening and stay ahead of the game. C. Robinson questioned status of lifeguard training program. Manager Donoghue noted that program has started to assist with staffing in the summer.



9.15. C. Scott - Req. City Mgr. Have Appropriate Department Re-Stripe Crosswalk At Moore/Gorham Streets And Repaint Turning Lanes.

In City Council, seconded by C Leahy, referred to City Manager. So voted. C. Scott noted the need for direction in the area that is congested with traffic and pedestrian. C. Gitschier noted there is not enough budgeted to cover the necessary maintenance of the crosswalks in the entire City.

10. ANNOUNCEMENTS

In City Council, C. Yem requested information on recent shooting on Spring Avenue. Manager Donoghue noted it was an ongoing investigation. C. Mercier commented on violence in the area and possible gang activity. M. Chau noted the beginning of the Golden Gloves Tournament.

11. ADJOURNMENT

In City Council, **Motion** to Adjourn by C. Leahy, seconded by C. Nuon. So voted.

Meeting adjourned at 9:20 PM.

Michael Q. Geary, City Clerk