



# Lowell City Council

## *Regular Meeting Minutes*

Michael Q. Geary  
City Clerk

**Date:** January 25, 2022  
**Time:** 6:30 PM  
**Location:** City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA /  
**Zoom (Hybrid)**

### 1. ROLL CALL

Roll Call showed 10 present, 1 absent (C. Leahy).

M. Chau presiding.

C. Scott requested moment of silence in darkened chamber for Walter Kinney. C. Rourke requested moment of silence in darkened chamber for Kathleen Gwiazda. M. Chau commented on the life of Mrs. Gwiazda.

### 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@LOWELLMG.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. Robinson, seconded by C. Scott. So voted.

### 3. CITY CLERK

#### 3.1. Minutes Of City Council Meeting January 18th, For Acceptance.

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



#### 4. COMMUNICATIONS FROM CITY MANAGER

##### 4.1. Motion Responses.

**Motion** to suspend rules to take Item #4.2(G) out of order by C. Rourke, seconded by C. Nuon. So voted.

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

**A) Motion Response - Jewett Street Flooding Issues** – C. Robinson noted on report that WasteWater Department had to be aware of the issue as they had done work prior to recent inspection. Manager Donoghue noted that there is constant oversight at that area due to flooding issues. C. Rourke questioned if homeowners would receive discount on insurance now that the West Street pump house is back online.

**B) Motion Response - Drainage Issues at Market and Palmer** – C. Jenness noted that part of area had been corrected but commented that the adjacent area would need a more extensive fix.

**C) Motion Response - COVID-19 Cleaning Policies** – C. Gitschier noted the policy was reactive and not proactive as is done in the schools. Manager Donoghue noted they could improve the policy to be more robust. C. Mercier noted report is a guide but the work needs to be done including changing air filters in the building. C. Gitschier noted that dating each time filter is changed will make the process more efficient.

**D) Motion Response - Hiring Practices and Protocols** – C. Robinson questioned hiring policies outside of hiring of department heads. Manager Donoghue noted policy currently in place was established before her tenure. C. Gitschier noted the current outside evaluation and that many of the recommendations were not followed up on and that policies must be consistent and not subjective. C. Gitschier noted that interview questions must be consistent and that system needs an overhaul to bring in current. Mary Callery (Human Resources) outlined interview procedures and the role of department heads in that process. C. Gitschier questioned the use of personnel files during promotions. Ms. Callery outlined the process and noted how personnel files are involved with promotions within. **Motion** by C. Gitschier to refer Personnel SC, seconded by C. Robinson. So voted. C. Nuon commented on the outside evaluation of human resources and noted that all recommendations should be before the subcommittee with a plan and timeline to implement them. Ferdousi Farrique (DEI) commented on items that they are developing and the future concentration on training employees. C. Mercier questioned if in-house candidates are granted higher status for employment. Ms. Callery noted that there is no guarantee regarding those employees but they are usually always interviewed. M. Chau commented on the hiring of his secretary and noted he was close to making a decision.



**E) Motion Response - Placement of Wreaths at Veterans Memorial Squares- C.**

Yem noted the report and the funding for the following year but requested that funds be identified for this year. C. Yem noted the resources in the department are slim but it is important for Veteran groups to be recognized. C. Yem commented on the Veterans Commission meetings during the year. Manager Donoghue noted that funding will be available this fiscal year for this to be accomplished. C. Yem noted his desire to be involved with the Commission and to re-establish the Memorial Day parade in the City. C. Robinson questioned which days would be used and what items would be placed at memorials. Eric LaMarche (Veteran Director) noted his response covered all the possible scenarios.

**F) Motion Response - Winter Protocol – None.**

**4.2. Informational Reports**

**G) Informational - CPA Process and Information – Motion** by C. Rourke, seconded by C. Scott to take Items #9.7 and #9.21 out of order to discuss with current item. So voted. Manager Donoghue opened remarks describing the grant process. **Motion** by C. Rourke, seconded by C. Gitschier to refer this matter along with Items #9.7 and #9.21 to a joint Finance and Neighborhoods SC. So voted. Manager Donoghue noted the need for a Finance SC as there are some sums of money involved. C. Mercier noted the amount of public participation in upcoming meetings. C. Yem noted he would like to hear from speakers. C. Nuon noted the report and commented that there will be many questions surrounding the matter. C. Gitschier commented he would like to hear speakers. The following registered speakers addressed the Council: Jessica Wilson; Renata Pomponi; Jane Calvin; and Sheila Kirschbaum (Zoom).

**Motion** by C. Drinkwater, seconded by C. Gitschier to take Items #9.2; 3; 6; 11; 19; and 20 out of order as they have registered speakers. So voted.

**H) Informational - Cawley Stadium Evaluation Report –** Camila Espitia (Chief Design Planner) commented on the study and introduced Alan Pinciara (Gate Company) as the consultant for the City. Mr. Pinciara outlined the report regarding the stadium and projected costs for the project in the 8 million dollar range. Manager Donoghue noted that there is no capital plan for this expenditure as of yet and there needs to be further discussion with possible phasing of the project. C. Gitschier questioned if the existing trailers on the site have been updated as proposed. Manager Donoghue noted that the work was being done by school administration. C. Robinson noted that the quote did not include making facility ADA accessible. C. Rourke noted the need to look at alternatives and is not welcoming news for the children of Lowell.

**4.3. Communication - Reappointment Of Martha Howe To License Commission.**

In City Council, Read. **Motion** to adopt by C. Yem, seconded by C. Scott. Adopted per Roll Call vote 10 yeas, 1 absent (C. Leahy). So voted. C. Mercier questioned if Atty. Howe still had office downtown.



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

### **5.1. Vote - Transfer From Municipal Facility Stabilization Fund To FY22 Capital Arch St Project.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Nuon, seconded by C. Yem. Adopted per Roll Call vote 10 yeas, 1 absent (C. Leahy). So voted. C. Mercier questioned the amount. Conor Baldwin (CFO) commented on the total budgeted amount.

### **5.2. Vote-Accept Expend FY22 Municipal Staffing Grant – LFD.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Gitschier, seconded by C. Nuon. Adopted per Roll Call vote 10 yeas, 1 absent (C. Leahy). So voted. C. Mercier questioned if this will assist with lessening brownouts in the City. Manager Donoghue noted amount went to overtime so that would assist with brownouts.

### **5.3. Vote-Accept Expend FY22 Municipal Staffing Grant – LPD.**

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 10 yeas, 1 absent (C. Leahy). So voted. **Motion** by C. Robinson, seconded by C. Rourke to take Item #9.14 out of order to discuss with current item. So voted. C. Robinson noted it would help cover increased foot patrols during the summer. C. Jenness questioned if body can tell how to spend grant monies.

### **5.4. Vote-Accept Expend FY22 Shannon Community Safety Initiative Grant – LPD.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Gitschier, seconded by C. Mercier. Adopted per Roll Call vote 10 yeas, 1 absent (C. Leahy). So voted.

## **6. ORDERS FROM THE CITY MANAGER**

### **6.1. Order - 60 Day Trial.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Nuon, seconded by C. Robinson. Adopted per Roll Call vote 10 yeas, 1 absent (C. Leahy). So voted.

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

In City Council, none.



## **8. PETITIONS**

### **8.1. Misc. - Michael Kitenda Request Approval And Installation Of A Guardrail Along 2 Arthur Street.**

In City Council, **Motion** to refer to Law Department for report and recommendation by C. Yem, seconded by C. Scott. So voted.

## **9. CITY COUNCIL - MOTIONS**

### **9.1. C. Nuon/C. Scott - Req. City Mgr. Update Council, Through Executive Session, Regarding LeLacheur Park.**

In City Council, no second needed, referred for discussion in Executive Session. So voted. C. Nuon noted the discussion would be once report is completed by the Manager. C. Scott noted the importance on resolving the issue.

### **9.2. C. Nuon - Req. City Mgr. Report On The Physical Status Of All Fire Stations And Consider Having The Chief Appoint An Officer As A Dedicated Project Manager For Capital Improvements.**

In City Council, seconded by C Jenness, referred to City Manager. So voted. C. Nuon commented on money already put to firehouse improvements and further commented the need to garner funds from any source available. C. Gitschier noted that there should be a professional construction supervisor reviewing projects of this size. C. Nuon noted that an employee could also oversee to ensure needs are met and projects move in a timely manner.

### **9.3. C. Scott/C. Nuon - Req. City Mgr. Have Proper Department Consider Applying For A Transformative Development Grant To Be Used To Develop Cambodia Town.**

In City Council, no second needed, referred to City Manager. So voted. Registered speakers, Tooch Van and Tara Hong, addressed the Council. C. Scott commented on the area and noted there are many partners who would be involved in improving it. C. Nuon noted when the area was dedicated and established and that there is a need for improvements. C. Nuon commented on the grant program as well.

### **9.4. C. Scott - Req. City Mgr. Work With DPD To Develop A Plan For Implementation Of An ADA Compliant Canoe And Kayak Launch At Muldoon Park.**

In City Council, seconded by C Drinkwater, referred to City Manager. So voted. C. Scott noted the area and the increase use by residents this past year.



**9.5. C. Scott - Req. Mayor Send A Letter From The City Council In Support Of Bills H 3345; H3332; H3284; And S2159 To House Chair Jeffrey Roy And Senate Chair Michael Barrett To Support The Proper Disposal Of Miniature Beverage Containers In The City.**

In City Council, seconded by C Rourke, referred to Mayor. So voted. C. Scott noted it was a littering bill attempting to reduce alcohol nips from being discarded in public by expanding the bottle bill to include these containers. C. Robinson commented on the problem and that legislation would reduce littering.

**9.6. C. Scott/C. Robinson - Req. City Mgr. Prepare A Report With A Plan To Implement Multiple Polling Places In Each District, To Provide Adequate Poll Supplies, And A Timeline For Outreach In Multiple Languages That Will Be Sent To Residents Before The Next Election.**

In City Council, no second needed, referred to City Manager. So voted. Registered speakers, Tara Hong and Johana Danas, addressed the Council. C. Robinson recognized the speakers and commented on issues involved with last election and the need for pre-planning. C. Scott noted some confusion last election with the new system and that there should be proper preparation in terms of planning and deadlines to be met. C. Jenness noted the biggest frustration with voters is polling locations that may change and commented any changes should be subtle as to not confuse voters. C. Mercier noted it is never too late to plan for an election as they come quick.

**9.7. C. Rourke/C. Scott - Req. City Mgr. Have Organizations That Were Granted Community Preservation Act Monies To Present A Detailed Plan Concerning The Use Of Funding To The Council.**

In City Council, no second needed, referred a joint Finance/Neighborhoods SC. So voted. See discussion under Item #4.2(G).

**9.8. C. Rourke - Req. City Mgr. Have Neighborhood Services Provide The Council An Official Updated Neighborhood Groups List In The City Along With Contact Information And Meeting Locations For Each Group.**

In City Council, seconded by C Drinkwater, referred to City Manager. So voted. C. Rourke noted the list was already received by the Council.

**9.9. C. Rourke - Req. City Mgr. Have DPW Provide A Report Consisting Of Start Date And Completion Date Of Vivier Way Redesign Stemming From Original Motion Response From September 28, 2021.**

In City Council, seconded by C Mercier, referred to City Manager. So voted. C. Rourke noted it was a small fix with positive results.



**9.10. C. Rourke - Req. City Mgr. Provide Council With The Cawley Stadium Engineering Report.**

In City Council, seconded by C Mercier, referred to City Manager. So voted. C. Rourke noted prior discussion at Item #4.2(H).

**9.11. C. Robinson/C. Rourke - Req. City Mgr. Contact MassDOT And Request Emergency Inspection Of The Rourke Bridge, To Provide Any And All Weight Restrictions That Might Apply So The City Can Post Accordingly, And To Also Request To Place Bridge Into The State Transportation Improvement Program.**

In City Council, no second needed, referred to City Manager. So voted. Registered speaker, Tara Hong, addressed the Council. C. Robinson recognized the speaker and noted the costs of infrastructure and that it was important to have immediate inspection to ensure safety on the bridge as there are many heavy trucks and busses which pass over it. C. Rourke noted it was a big issue for the City and the push must continue to ensure project moves forward in the quickest manner. C. Rourke noted the need for an inspection to ensure public confidence. C. Gitschier questioned the inspection schedule. Manager Donoghue noted it was done by State every two years. C. Mercier noted the years spent to date on the bridge and it must be done as the price increases with each passing year. C. Nuon commented on prior process noting price is always going up and that the several partners in this endeavor must move forward in unison. M. Chau commented on recent meeting with State and Federal delegation regarding bridge. Manager Donoghue noted letters requested prior have all been sent to interested parties.

**9.12. C. Robinson - Req. City Mgr. Have The Proper Department Explore Any And All Grant Funding Mechanisms Available That Would Allow The City To Offer An Increased Amount Of Summer Employment Possibilities For Our Youth.**

In City Council, seconded by C Jenness, referred to City Manager. So voted. C. Robinson noted that any funding would be acceptable to ensure employment.

**9.13. C. Robinson - Req. City Mgr. Provide The Council With A Report On Current Status Of Parking Kiosks And The Current Maintenance Plan In Place.**

In City Council, seconded by C Mercier, referred to City Manager. So voted. C. Robinson noted there are several which are not operating which causes frustration with users and loss of revenue to the City. Manager Donoghue noted the kiosks were at the end of their operational life and changes need to be made. C. Scott noted the need to replace if outdated.

**9.14. C. Robinson - Req. City Mgr. Provide The Council With A Report On What Are The Current Plans To Increase Foot Patrols And Identify Community Based Policing Opportunities For The Upcoming Spring And Summer Sessions.**



In City Council, seconded by C Rourke, referred to City Manager. So voted. C. Robinson noted the matter was discussed at Item #5.4 prior.

**9.15. C. Rourke/C. Gitschier - Req. City Mgr. Have Wastewater Department Provide The Council A List Of Roads In Each District In Which Drain And Sewer Lines Have Not Yet Been Separated.**

In City Council, no second needed, referred to City Manager as amended. So voted. C. Gitschier noted the motion should be amended to request those lines that have been separated. No objection from co-maker C. Rourke. C. Rourke requested that the report be broken down by district.

**9.16. C. Rourke/C. Gitschier - Req. City Mgr. Present A Monthly Value Engineering And Material Procurement Report To The Council Concerning The Lowell High School Project.**

In City Council, no second needed, referred to City Manager. So voted. C. Gitschier noted the need for the Council to have information and to keep ahead of any proposed changes in the project. C. Rourke noted information would be helpful and keeps an eye on the progress with the project.

**9.17. C. Gitschier - Req. City Mgr. Provide City Council With An Inventory Of City Owned Vehicles That Have A Purchase Price Of Over \$25,000 And A Life Expectancy Of 10 Years Or More; Include In Report The Year, Make, Model, Age, Expected Replacement Year, And Projected Cost Of The Vehicle At The Time Of Purchase.**

In City Council, seconded by C Nuon, referred to City Manager. So voted. C. Gitschier noted motion spoke for itself.

**9.18. C. Gitschier - Req. City Mgr. Provide City Council With An Update On The Bulk Pick-Up Schedules For Large Items.**

In City Council, seconded by C Drinkwater, referred to City Manager. So voted. C. Gitschier noted the need for communication between different departments and that they should share a calendar to assist.

**9.19. C. Drinkwater - Req. City Mgr. Convene A Meeting With Representatives From Skanska, Suffolk Construction, Subcontractors And Other Relevant Parties For The Purpose Of Taking Corrective Action Relative To The Low Number Of Women Working On The Lowell High School Construction Project, And To Formulate A Plan To Meet Or Exceed State Set Hiring Benchmarks.**

In City Council, seconded by C Mercier, referred to City Manager. So voted. Jeff Thomas, registered speaker, addressed the Council. C. Drinkwater commented on the hiring benchmarks report and the need to improve the numbers in this area as it is only





half filled. C. Drinkwater noted the State benchmarks are important to meet and exceed and that there is time to accomplish that.

**9.20. C. Yem - Req. City Mgr. Give An Update On The Development Projects In The Acre.**

In City Council, seconded by C Mercier, referred to City Manager. So voted. Registered speakers, Russell Panders and Amy Pessia (Zoom), addressed the Council. C. Yem noted that there were a number of projects in the Acre and there is the need for additional ones as well as improving current ones.

**Motion** by C. Robinson, seconded by C. Rourke to take Item #4.2(H) out of order. So voted.

**9.21. C. Yem - Req. City Mgr. Give Details On Funded Projects Approved By The Community Preservation Committee Recently.**

In City Council, seconded by C Robinson, referred to City Manager. So voted. C. Yem noted prior discussion at Item #4.2(G).

**9.22. C. Jenness - Req. City Mgr. Have Proper Department Engage With Trinity Management Company To Discuss And Formulate An Action Plan For Snow Removal From The Path Between The Hamilton Canal And Jackson Street.**

In City Council, seconded by C Mercier, referred to City Manager. So voted. C. Jenness commented on the area and the concern of residents in that area and that there needs to be clarity on property maintenance responsibility.

**9.23. C. Yem - Req. City Mgr. Have Appropriate Department Give An Update On The Status Of The Collapsed Retaining Wall Of CityPoint Condominiums At The Corner Of Middlesex And School Streets.**

In City Council, seconded by C Scott, referred to City Manager. So voted. C. Yem commented on existing damage that has been for an extended period of time and that it continues to be a safety issue. C. Nuon commented on prior responses noting legal challenges by other parties but noted that work needs to be done. C. Scott noted damage has been there too long and should be resolve regardless of issues between the parties.

**9.24. C. Jenness - Req. City Mgr. Have Proper Department Investigate Potential Traffic Calming Measures For Traffic Traveling Over The New HCID Bridge From The Dutton/Broadway Streets Intersection Toward Canal Street.**

In City Council, seconded by C Robinson, referred to City Manager. So voted. C. Jenness commented on work being done and the changes of traffic patterns in the area and that drivers should be informed of the changes.



## 10. ANNOUNCEMENTS

In City Council, C. Mercier noted the birthday of C. Yem. Manager Donoghue noted that the Cawley test site has extended the hours of operation and that the City would be receiving new test kits for distribution. C. Jenness forewarned residents of upcoming inclement weather.

## 11. ADJOURNMENT

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

Meeting adjourned at 9:23 PM.

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Michael Q. Geary, City Clerk