



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: March 26, 2019

Time: 6:30 PM

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

1. ROLL CALL

Roll Call showed 9 present.

M. Samaras presiding.

C. Leahy requested moment of silence in darkened chamber for Donald J. McQueen.

Motion by C. Kennedy, seconded by C. Nuon to take Item #7.1 out of order. So voted.

2. CITY CLERK

2.1. Minutes of Parks & Recreation SC March 19th; City Council Meeting March 19th, for acceptance.

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

2.2. Vote-Cancel Council Meeting of April 16, 2019.

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.

3. AUDITOR BUSINESS

3.1. Communication - Motion Response (M. Samaras 1/15/19) - Req. City Auditor provide written explanation and report for noncompliance issues found during the recent school department audit as pertaining to the City's rules, regulation, and ordinances.

In City Council, **Motion** "To refer to Finance SC" by C. Milinazzo, seconded by M. Samaras. So voted. M. Samaras relinquished Chair to Vice Chair Nuon at 6:55 PM. M. Samaras recognized Auditor report noting is was very comprehensive. M. Samaras



questioned student activity account. Auditor Perry noted school administration should set policy within proper guidelines to operate the account. M. Samaras questioned bad bills. Auditor Perry should have oversight and that proper procedures must be followed for purchase orders. M. Samaras questioned food service account. Auditor Perry noted the need to have School Committee oversight for transfers along with proper documentation. M. Samaras questioned revolving funds. Auditor Perry noted best practice is not to spend all that is in the account. M. Samaras questioned overpayments. Auditor Perry noted that accurate information must be shared. M. Samaras questioned oversight of budget. Auditor Perry noted that communication and proactive measures work best for oversight. C. Conway noted that the school administration have constantly had payroll issues. C. Nuon noted need for constant and open communication. C. Elliott noted need for further discussion at the Finance SC as there are many concerns with the report and items not being addressed by the school administration after audits had been performed. Auditor Perry noted that need to trust the information being supplied to you. C. Elliott noted the numerous attempts to get information out of the school administration. Vice Chair Nuon returned Chair to M. Samaras at 7:05 PM.

Motion by C. Mercier, seconded by C. Elliott to take Item #5.3 out of order. So voted.

4. GENERAL PUBLIC HEARINGS

4.1. Ordinance-Delete two PT and Create one FT Clinical Recovery Specialist in HHS Dept.

In City Council, Given 2nd Reading, hearing held. Speaking in favor was Laine Emond (HHS). No remonstrants. **Motion** to adopt by C. Mercier, seconded by C. Cirillo. Adopted per Roll Call vote, 8 yeas, 1 abstain (C. Conway). So voted. C. Mercier noted the importance of the position.

5. COMMUNICATIONS FROM CITY MANAGER

5.1. Motion Responses.

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

A) Motion Response - Maxfield Bench in Shedd Park – C. Mercier noted the dedication. Manager Donoghue noted she would inform Council of the date.

B) Motion Response - Downtown Economic Development – C. Leahy commented on report and noted he would review further with the department.



C) Motion Response - Four Way Stop Monadnock and Raynor – C. Leahy noted the neighborhood concerns. Natasha Vance (Transportation Engineer) commented on traffic calming measures and how they are implemented. C. Mercier noted driver adherence is the issue and narrowing of travel lane is effective to reduce speed.

D) Motion Response - Westford and Foster Traffic Study – C. Conway noted neighborhood concerns. Ms. Vance commented that a 4-way stop is needed and will improve traffic in the area. C. Kennedy commented on the 4-way stop on Foster Street. Ms. Vance noted it was a 60 day trial and would be permanent if no issues.

E) Motion Response - Municipal Broadband Network – C. Cirillo commented on report and the RFP. Conor Baldwin (CFO) commented on the RFP and the possible private network for the City. Miran Fernandez (MIS) noted network was not for video, only internet and the infrastructure could be done at no costs to the City. C. Mercier noted it would be beneficial to have competition for the services in the City. **Motion** by C. Mercier, seconded by C. Leahy to refer to Law Department to draft proper vote to engage vendor and to refer to Technology & Utilities SC for discussion. So voted. C. Leahy noted it was for internet services. Mr. Fernandez stated it was to do the infrastructure for service providers. C. Nuon noted other communities have used the vendor and that it should increase competition in the industry. C. Conway questioned time line and noted it was a good approach to increase competition. C. Leahy questioned effect of 5G on the process. C. Milinazzo noted the challenge is keeping ahead of all the changes happening in technology today. Manager Donoghue commented that vendor would make presentation before the subcommittee. Manager Donoghue commented on the need for service to enhance economic development and noted that PEG money has lessened due to decrease in subscribers.

5.2. Informational Reports

F) Informational - Settlement of the First Relocation Claim for 75 Arcand Drive – Manager Donoghue commented on money spent regarding relocation. C. Mercier questioned which doctor had settled the matter and was retiring. C. Leahy questioned payment if retiring. Manager Donoghue noted payments were prescribed by law. Solicitor O'Connor noted payment was for equipment and other business items. C. Milinazzo questioned ownership of equipment. Solicitor O'Connor noted the equipment would be owned by the City and that they could recoup some money on them. Manager Donoghue noted the process in making payments.

G) Informational - Update on Annual Municipal Lien Auction Sale – Solicitor O'Connor commented on details of the auction and that many pay the outstanding tax balances before auction. C. Mercier noted the payments made under the threat of



auction and requested a breakdown report. Solicitor O'Connor noted there would be follow-up report when auction is completed. C. Kennedy recognized the success of the auction throughout the years. C. Nuon commented on the auction process.

H) Informational - FY2020 Budget and NSS Compliance – Manager Donoghue commented on the information for next budget and net school spending. Mr. Baldwin reviewed the amounts that the City had exceeded net school spending and that they were well above many communities in that endeavor. C. Leahy noted that Councilors should weigh in with their budget ideas to the administration. C. Elliott recognized the efforts of the City with net school spending in spite of other obligations to the schools which include post-employment benefits as well as charter school reimbursements. Mr. Baldwin commented on projected increase in health insurance premiums. C. Elliott questioned debt service budget. Mr. Baldwin noted there is an aggressive Capital Plan and that the debt service stabilization fund in place is a good budget tool.

I) Informational - New WM Contract – Manager Donoghue commented on new six year contract and some of its terms. James Troup (DPW) outlined terms in contract including decontamination costs and possible savings. C. Cirillo questioned costs to taxpayers regarding trash recovery. Mr. Baldwin noted that the taxpayers are subsidizing a large amount for the service. C. Leahy noted discussion of barrels and fees should be moving forward. Manager Donoghue noted such discussion should be done through subcommittee. C. Leahy commented on trash removal in the parks. Mr. Troup indicated different strategies to address that issue. C. Leahy questioned yard waste pick-up schedule. Manager Donoghue noted change in the schedule. C. Mercier commented on yard waste pick-up. C. Milinazzo noted that securing a 6 year contract would benefit the City. Manager Donoghue noted that if costs of decontamination are kept down then costs in contract would be reduced. Solicitor O'Connor reviewed contract terms noting results if there is a change of circumstances. C. Cirillo commented on costs if done by City.

5.3. Communication-Appoint Sebastian Nash to Disability Commission.

In City Council, read, **Motion** to adopt by C. Elliott, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted. Mr. Nash was present and thanked the body. Sheila Haggerty, chair of the Commission, was present and thanked the body for the approval.

6. VOTES FROM THE CITY MANAGER

6.1. Vote-Accept and Expend a Rapid LED Streetlight Conversion Grant from the Mass. DOER.



In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Mercier, seconded by C. Conway. Adopted per Roll Call vote 9 yeas. So voted. C. Mercier noted the lights were remarkable and provided increase safety.

6.2. Vote-Accept and Expend FY19 Four Earmarked State Funds totaling 1,000,000 from the Dept of Conservation and Recreation for Economic Development.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Conway, seconded by C. Conway. Adopted per Roll Call vote 8 yeas, 1 present (C. Elliott). So voted. Manager Donoghue commented on the earmarks and pickle ball courts will be in place. C. Leahy questioned time line on installation.

6.3. Vote-Auth Mgr Ex. Easement to Mass Electric for access to Parcel A off YMCA Drive.

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

6.4. Vote-Auth Mgr Ex. License Agreement-Simply Dental of Lowell, PLLC-155 Market St-overhanging sign.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Cirillo, seconded by C. Nuon. Adopted per Roll Call vote 9 yeas. So voted. C. Mercier disclosed she had a relative employed at the dentist.

7. REPORTS (SUB/COMMITTEE, IF ANY)

7.1. Economic Development SC March 26, 2019.

In City Council, C. Kennedy provided the report commenting that the meeting was recessed as all items had not been addressed but that item concerning lighting of the City was discussed. Fred Faust of the Lighting Initiative commented on the many lighting projects in the City and noted the presentation given to the Economic Development SC. Chris Hayes (Project Director) noted the history of the projects and commented on future projects and developing old and new partnerships. C. Kennedy commented on the projects noting the involvement and enjoyment of the community. C. Mercier commented the river and canals are great assets in the City. C. Milinazzo noted the historical significance and efforts on increasing economic development in the City. **Motion** to accept the report as a report of progress by C. Cirillo, seconded by C. Conway. So voted.



8. PETITIONS

8.1. Misc. - Renaissance On The River (Karen Lee) request parking along Riverwalk Way be exclusive for residents.

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

8.2. Misc. - Myriam Andrade request installation of handicap parking sign at 42 Union Street (back).

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

8.3. National Grid - Request replacement of existing gas main from 474 to 556 Douglas Road.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on April 9, 2019 at 7 PM by C. Kennedy, seconded by C. Leahy. So voted.

8.4. National Grid - Request replacement of existing gas main with new plastic pipe along Greendale Avenue to service existing customers.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on April 9, 2019 at 7 PM by C. Milinazzo, seconded by C. Mercier. So voted.

8.5. National Grid - Request installation of underground electric conduit for lighting on the Aiken Street Bridge.

In City Council, Given 1st Reading. **Motion** to refer to Public Hearing on April 9, 2019 at 7 PM by C. Nuon, seconded by C. Mercier. So voted.

9. CITY COUNCIL - MOTIONS

9.1. C. Conway - Req. City Mgr. meet with appropriate departments to develop a monetary employee incentive program; which objective is to achieve efficiencies in City operations by giving employees an opportunity for incentives and to contribute their ideas that could result in measurable costs savings, increased efficiencies and increased revenues for the City.

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Conway noted need to explore ways to increase revenue noting prior program while on the School Committee. C. Conway noted that you get ideas from employees.



9.2. C. Cirillo - Req. City Mgr. direct the proper department install two additional signs indicating “area under video surveillance” on poles at the reservoir on Richards St. at Monroe St. and across from 74 Richards St.

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Cirillo noted request from residents.

9.3. C. Cirillo - Req. City Mgr. provide City Council with city-wide Spring cleaning schedule.

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Cirillo noted request came from neighborhood meeting. C. Leahy commented on possible additional help from the Middlesex Sherriff Department. Manager Donoghue noted contact with the department.

9.4. C. Cirillo - Req. City Mgr. provide City Council with city-wide Spring tree planting schedule.

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Cirillo noted the need to replace trees lost during winter. C. Mercier commented on planting program in the City from prior years. Manager Donoghue noted working with Conservation Trust and Jane Calvin. C. Milinazzo noted DCR program to plant trees. C. Elliott noted the name of program was Greening Gateway Cities.

9.5. C. Cirillo - Req. City Mgr. re-establish the collective of City Officials meeting with the neighborhood Presidents to walk the neighborhoods to identify areas that need restoration to revive the neighborhoods integrity and vitality.

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Cirillo noted request of Back Central neighborhood and the importance to point out problems. C. Mercier noted it was important to walk the neighborhoods. C. Leahy commented on group walks and noted it was the responsibility of Councilors as well. C. Kennedy noted that people would appreciate seeing City officials in their neighborhoods.

9.6. C. Mercier - Req. City Mgr. place Madonna Circle on the list of streets needed to be addressed due to truck turnaround traffic caused by the company repairing the Broadway Street bridge.

In City Council, seconded by C. Kennedy, referred to City Manager. So voted. C. Mercier noted neighborhood concerns.



9.7. C. Leahy - Req. City Mgr. update City Council regarding reorganization of the DPW and the Parks Department.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Leahy requested update on plan since new Parks Supt. came on board. C. Milinazzo noted it should be tied in with the Collins Center Report and that work needs to be done and that administration needs to stress work to be done.

10. ANNOUNCEMENTS

In City Council, none.

11. ADJOURNMENT

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

Meeting adjourned at 8:55 PM.

Michael Geary, City Clerk