



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: April 11, 2023

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.

M. Chau presiding.

C. Jenness requested moment of silence in darkened chamber for Lisa Marie Rudy. C. Robinson requested moment of silence in darkened chamber for William Lee Doby.

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. Jenness, seconded by C. Drinkwater. So voted.

2.2. Citations:

1) DIY Chili and Stew Contest Winner - CTI Youthbuild Culinary Program (Professional)

In City Council, **Motion** "To accept and place on file" by C. Yem, seconded by C. Robinson. So voted. M. Chau presented the citation to Anna Jabour, director of the program, who thanked Council and recognized the participants.



2) William Lee Doby (Posthumous).

In City Council, **Motion** "To accept and place on file" by C. Yem, seconded by C. Robinson. So voted. M. Chau presented the citation to Mr. Doby's son, Willie Ryan, who thanked Council and recognized the rest of his family.

3. CITY CLERK

3.1. Minutes Of Neighborhoods SC April 3rd; Housing SC Joint With Zoning SC April 4th; City Council Regular Meeting April 4th, For Acceptance.

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

3.2. Vote - Cancel Council Meeting 04.18.23

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

4. UTILITY PUBLIC HEARING

4.1. Comcast Southern NE - Request Installation Of 4 Inch Underground Conduit For 600 Lakeview Avenue.

In City Council, Given second reading, hearing held, no remonstrants. Speaking in favor of the petition was representative from Comcast Souther. **Motion** to refer to Wire Inspector for report and recommendation by C. Robinson, seconded by C. Gitschier. So voted.

4.2. Comcast Southern NE - Request Installation Of 4 Inch Underground Conduit From Kirk Street To Merrimack Street.

In City Council, Given second reading, hearing held, no remonstrants. Speaking in favor of petition was representative of Comcast Southern. **Motion** to refer to Wire Inspector for report and recommendation by C. Nuon, seconded by C. Mercier. So voted.

4.3. Boston Gas D/B/A National Grid - Request Moving Existing Gas Line To Accommodate Water Work By The City Of Lowell.

In City Council, Given second reading, hearing held, no remonstrants. Speaking (Via Zoom) in favor of the petition was Diane Cudy from Boston Gas. **Motion** to refer to Wire Inspector for report and recommendation by C. Yem, seconded by C. Jenness. So voted.

Motion to take Item #9.4 out of order by C. Jenness, seconded by C. Drinkwater. So voted.



5. COMMUNICATIONS FROM CITY MANAGER

5.1. Motion Responses.

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

A) Motion Response - CLA HR Recommendations – Motion by C. Gitschier, seconded by C. Nuon to refer matter to Auditor/Clerk Oversight and Personnel SC. So voted. C. Jenness noted the recommendations and the struggles with them; especially with DEI officer and MUNIS tracking system. Manager Golden, Jr. noted the dei training with depart heads and also the MUNIS system is operating well. C. Jenness suggested using the tracking system with boards/commissions and that improved inclusive language should be in City communications. Manager Golden, Jr. noted prior language came from last DEI officer and that more work needs to be done on recommendations. C. Jenness suggested us of a dashboard on the City website to track progress of the recommendations. Manager Golden, Jr. noted it was a work in progress and that it is important work and that the City is establishing a base line approach. **Motion** by C. Jenness, seconded by C. Leahy to have City Manager establish public dashboard to provide information on HR recommendations. So voted. C. Gitschier noted tracking element should be used to track turnover time in the City. Manager Golden, Jr. outlined improvements in exit interviews in the City. C. Gitschier noted the improvement of the internship programs in City should have been highlighted. C. Gitschier noted that an emergency plan with City should have been listed as a priority. Manager Golden, Jr. noted recent hiring of emergency plan manager. C. Gitschier noted that operating procedures should be consistent with every department. C. Nuon commented on MUNIS concerns and that an emergency plan should be available for every department. Registered speaker, Bobby Tugbiyele, addressed the Council.

B) Motion Response - LOWELL Art – C. Yem commented on report and left it up to the agency to find a place for the art and noted different areas for signs.

C) Motion Response - Bicentennial Committee – C. Yem noted the committee was in place and that money should be allocated to it to begin preparations and that a foundation should be developed moving forward to oversee event. C. Robinson noted that when City takes the initiative other groups will follow. C. Nuon commented on the committee.

Motion by C. Mercier, seconded by C. Leahy to bundle Items #5.4, #5.5 and #5.6. So voted.

D) Motion Response - Hellenic Academy – C. Yem noted residents and parents relieved that work will be done for long and short term. Elizabeth Oltman, Transportation Engineer, commented on long range and short range plans. C. Leahy noted that proper bump outs and drop off areas will be beneficial. C. Leahy noted that curb striking should be done quickly and staffing should not affect it. C. Mercier noted



that there is a third party vendor taking care of striping in the City. Ms. Oltman commented on the contracts. Manager Golden, Jr. noted staffing has increased in sign department and striping can be done. C. Robinson noted summer employees could do the striping. C. Gitschier noted assistance of Career Center.

E) Motion Response – AED – C. Rourke noted the report. C. Gitschier noted the need to have in parks and athletic fields. Manager Golden, Jr. noted the generosity of the Keenan Family Foundation in securing the equipment. **Motion** by C. Gitschier, seconded by C. Rourke to have City Manager send letter to thanks to the foundation. So voted.

5.2. Informational Reports

Informational Report – Geothermal – Registered speaker, Steve Malagodi, addressed the Council. Katherine Moses (DPD) commented on the program and the partnership with UMass-Lowell and National Grid. UML representative (Ruairi O’Mahony) noted the program will be valuable tool in achieving the Commonwealth’s climate goals. National Grid’s representatives, Joe Muraco and Chris English, provided presentation entitled “Massachusetts Geothermal Pilot” which outlined a heating and cooling overview, geothermal process, area involved, and loop and bore holes. C. Yem questioned future plans with the technology. C. Jenness noted only current customers can be in the pilot program. C. Rourke noted the efforts of Ms. Moses.

Informational Report - ARPA Award Fire Apparatus – Chief Charron (LFD) provided a presentation outlining the funding and the process for the acquisition of additional fire apparatus. Chief Charron commented on the design and the assistance to acquire this number of vehicles noting it was unprecedented in the history of the department. C. Jenness commented on the team effort and that it was a huge step forward. C. Robinson noted it was a team effort. C. Gitschier noted the power of advocacy to achieve important goals. C. Mercier noted public safety needs were addressed with these purchases. C. Nuon noted this use of ARPA funds were appropriate and noted the efforts of the LFD staff and commented that fire houses should be updated as needed to house the new equipment. C. Leahy note the efforts of all those involved. Manager Golden, Jr. noted the money was well spent as there was a vital need and the City will have a younger fleet of vehicles. M. Chau noted this was good news for residents.

5.3. Petition Response

Petition Response - HC Parking on Market Street – Manager Golden, Jr. noted the presence of a crosswalk prevented any changes in that area.

5.4. Communication - Appointment Of John Nickerson, Jr. To ZBA.

In City Council, **Motion** to adopt by C. Jenness, seconded by C. Gitschier. Adopted by Roll Call vote 11 yeas. So voted. Mr. Nickerson addressed the body.



5.5. Communication - Appointment Of Marie Burns And Garrett Beaulieu To Conservation Commission.

In City Council, **Motion** "To accept and place on file" by C. Jenness, seconded by C. Gitschier. So voted. Ms. Burns addressed the Council.

5.6. Communication - Appointment Of Wendy Seigal-Botti To Lowell Cultural Council.

In City Council, **Motion** "To accept and place on file" by C. Jenness, seconded by C. Gitschier. So voted. Ms. Seigal-Botti addressed the Council.

5.7. Communication - Reappointment Of Richard Lockhart To Historic Board.

In City Council, **Motion** to adopt by C. Gitschier, seconded by C. Jenness. Adopted by Roll Call vote 11 yeas. So voted. Mr. Nickerson addressed the body.

Motion by C. Robinson, seconded by C. Mercier to bundle and waive second reading of Items #6.1- #6.3, inclusive. So voted.

6. VOTES FROM THE CITY MANAGER

6.1. Vote - Accept/Expend \$3,300 Scholarship From NACCHO.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Robinson. Adopted by Roll Call vote 11 yeas. So voted.

6.2. Vote - Accept/Expend \$51,113 FY22 EMPG Grant.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Robinson. Adopted by Roll Call vote 11 yeas. So voted.

6.3. Vote - Authorize CM Ex. Agreements With Nexamp And Vanguard For 20 Years.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Robinson. Adopted by Roll Call vote 11 yeas. So voted.

Motion by C. Scott seconded by C. Drinkwater to take Item #7.3 out of order. So voted.

Motion by C. Robinson, seconded by C. Jenness to bundle Items #7.1 and #7.2. So voted.

7. ORDINANCES FROM THE CITY MANAGER

7.1. Ordinance - Extend Outdoor Seating To November 1, 2023.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on April 25, 2023 at 7 PM by C. Robinson, seconded by C. Jenness. So voted. C. Mercier noted the



dates of the program. C. Rourke commented that times may be extended if have a stretch of good weather. Yovani Baez-Rose (DPD) noted end dates are in the ordinance and that there are two permits involved with City, sidewalk and streateries. Manager Golden, Jr. noted dates could be flexible. C. Robinson requested matter be moved to public hearing.

7.2. Ordinance - Quarterly Traffic - April 2023.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on April 11, 2023 at 7 PM by C. Jenness, seconded by C. Drinkwater. So voted. C. Leahy noted objection to Maryland Avenue section of the ordinance.

7.3. Vote - Transfer \$125,000 – DPW.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Mercier, seconded by C. Drinkwater. Adopted by Roll Call vote 11 yeas. So voted. C. Gitschier questioned need for transfer so late in the budget. Conor Baldwin (CFO) noted funding would apply to following year as well.

8. REPORTS (SUB/COMMITTEE, IF ANY)

8.1. Finance SC April 11, 2023.

In City Council, C. Scott requested report be given at meeting on April 25, 2023 with no objections.

Motion by C. Robinson, seconded by C. Nuon to bundle Item #9.1 - #9.3, inclusive. So voted.

9. PETITIONS

9.1. Claim - (1) Property Damage.

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

9.2. Misc. - Blanca Cotto Request Installation Of Handicap Parking Sign At 38 W 3rd Street.

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

9.3. Misc. - Paola Sanchez (Imperial Multiservice) Request Installation Of Overhanging Sign At 1 East Meadow Road.

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



9.4. Misc. - Joseph Boyle - Citizens' Requested Changes To Lowell Unhoused Persons Liaison Protocol.

In City Council, **Motion** to refer to City Manager for report and recommendation by C. Jenness, seconded by C. Yem. So voted. Registered speakers addressed Council regarding the petition: Joseph Boyle; Marissa Dupont; Laura Ortiz; Rev. Heather Prince-Doss (Zoom); and Chris Offerman. C. Robinson noted the speakers and suggested that all non-residents on the petition would best serve issue if they could go before their home town boards to ask for assistance as well. C. Mercier noted the homeless need help and that involves many resources from many sources. C. Mercier noted public health and safety issue at many camps and that the City has started many initiatives to fight this issue. C. Jenness recognized the speakers and the discussion noting needs must be met and that all processes can be improved. Manager Golden, Jr. noted there are many recommendations in upcoming budget to assist with issue. C. Drinkwater recognized speakers and petition noting all must be treated with respect and that public health is paramount in the camps. C. Nuon noted there were reasonable requests in the petition noting it was a nationwide issue in need of a respectful team approach. C. Gitschier noted balance between needs of all in the City and the homeless which needs to be met in a respectful manner. M. Chau noted the speakers and the petition and that the Manager will review all requests. C. Yem noted the paramount need for regional assistance, City cannot solve on its own.

Motion by C. Robinson, seconded by C. Scott to take Item #5.2 out of order. So voted.

10. CITY COUNCIL - MOTIONS

10.1. C. Gitschier - Req. City Mgr. Have Law Department Review All Executive Session Minutes Since January 2022, And Recommend Voting To Release Any Minutes That No Longer Meet The Guidelines To Be Held Confidential.

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

10.2. C. Gitschier/C. Jenness - Req. City Mgr. Have The Proper Department Provide An Update On The Water Main Under The Beaver Street Bridge.

In City Council, no second needed, referred to City Manager. So voted. C. Jenness noted need for services as bridge is being repaired. C. Gitschier noted now is the time to get the work done.

10.3. C. Yem - Req. City Mgr. Have Proper Department Create "Lowell Beautification Program" To Recognize Home And Business Owners Who Make Lowell An Even Nicer Place To Live By Creating And Maintaining Beautiful Landscaping.

In City Council, seconded by C. Scott, referred to City Manager. So voted. C. Yem noted the need to keep the integrity in the neighborhoods.



10.4. C. Yem - Req. City Mgr. Have Proper Department Create Lowell Neighborhood Bicycle And Walking Maps Both In Print And Digital Form.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Yem noted prior Wang School petition and provided an example of the map.

10.5. C. Yem - Req. City Mgr. Have The Proper Department Work With Lowell Latino Community And Stakeholders To Identify And Recognize A Certain Section In The Acre As Latin/Latino Town Or Any Other Names The Communities Deem Appropriate.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Yem noted promotion will help with economic development in the area.

10.6. C. Nuon - Req. City Mgr. Provide A Report On The Status Of Tri-Annual Inspection Of Rental Properties As Adopted In 2012.

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

10.7. C. Nuon - Req. City Mgr. Update The City Council On The Status Of The Redevelopment Of The Hildreth Building At 45 Merrimack Street.

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

Motion to bundle Items #10.8 – #10.11, inclusive. So voted.

10.8. C. Robinson - Req. City Mgr. Have The Proper Department Provide A Detailed Report On Scope And Timeframe Of Open Space Improvement/Art Installation Projects For Centralville In 2023 Calendar Year.

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

10.9. C. Robinson - Req. City Mgr. Have The Proper Department Provide A Report On The Feasibility Of Utilizing Riverwalk Area As An Outdoor Art/Craft Exhibit Function Space.

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

10.10. C. Robinson - Req. City Mgr. Have The Proper Department Provide An Update On Lowell High School Elevator Near ROTC.

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

10.11. C. Robinson - Req. City Mgr. Have The Proper Department Provide A Report On How Many Employees Are Trained To Maintain And Install Soccer, Lacrosse, Field Hockey, Baseball And Softball Fields; Including Replacement Of Home Plates, Pitchers' Mounds, Foul Marker Pegs, As Well As Scratching Fields



And Line Striping; Who Is Providing The Training; What Is The Weekly Assignment Of Maintaining Athletic Fields; And How Many Employees Are Tasked With The Routine Maintenance.

In City Council, seconded by C. Yem, referred to City Manager. So voted. C. Leahy requested clarity on the motion and commented on social media posts regarding department heads in the City. C. Robinson noted the amount of money being spent on the fields and they must be properly maintained. C. Robinson requested information back to 2016 regarding employees and equipment used back then and noted it would indicate better production in the past. C. Mercier requested replacing signage at Callery Park field.

10.12. C. Mercier - Req. Neighborhoods SC Meet To Discuss ADUs And Get Residents Views About The Subject Of Having Them Throughout Their Neighborhoods.

In City Council, seconded by C. Drinkwater, referred to Neighborhoods SC. So voted. C. Mercier noted the request and the need for resident input.

11. CITY COUNCIL - EXECUTIVE SESSION

11.1. Executive Session – To Consider And Discuss The City’s Potential Participation In The Attorney General’s Opioid Settlements, Public Discussion Of Which Could Have A Detrimental Effect On The City’s Position; And Further, To Discuss Strategy And Contract Negotiations On The Collective Bargaining Agreement With Union Personnel, Public Discussion Of Which Would Have A Detrimental Effect On The City’s Bargaining Position.

In City Council, M. Chau stated reason for Executive Session, **Motion** by C. Jenness, seconded by C. Mercier to enter Executive Session for stated purpose and to adjourn from Executive Session.(9:45 PM). Adopted per Roll Call vote 11 yeas. So voted. M. Chau stated that body would adjourn from the Executive Session.

12. ANNOUNCEMENTS

In City Council, M. Chau noted Southeast Asian New Year. C. Nuon noted upcoming flag raising.

13. ADJOURNMENT

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

Meeting adjourned in Executive Session at 9:57 PM.

Michael Q. Geary, City Clerk