



# Lowell City Council

## Regular Meeting Minutes

Michael Q. Geary  
City Clerk

**Date:** April 27, 2021

**Time:** 6:30 PM

**Location:** City Council Chamber, Pursuant To Governor Baker's Emergency Order Modifying The State's Open Meeting Law Issued March 12, 2020, Meetings Will Be Held Using Remote Participation As Follows: Members Of The Public May Not Participate In-Person And May View The Meeting Via LTC.ORG (On-Line; Live Streaming Or Local Cable Channel 99) And Zoom

### 1. ROLL CALL

Roll Call showed 9 present.

M. Leahy presiding.

C. Chau requested moment of silence in darkened chamber for Charles "Charlie" Duggan. C. Conway requested moment of silence in darkened chamber for M. Jean Chisholm Dancause. C. Mercier requested moment of silence in darkened chamber for Michelle Brady and Richard Pelletier. C. Rourke requested moment of silence in darkened chamber for Mary Joan "MJ" Rourke and Stephen Rourke, Jr. M. Leahy requested moment of silence in darkened chamber for Ngor Lengsavat.

### 2. MAYOR'S BUSINESS

#### 2.1. Communication Remote / Zoom Participation:

Pursuant To Governor Baker's Emergency Order Modifying The State's Open Meeting Law Issued March 12, 2020, Meetings Will Be Held 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) As They May Not Participate In-Person. 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](mailto: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. Chau, seconded by C. Conway. So voted.



M. Leahy recognized the retirement of Deputy Supt. Daniel Larocque from the Lowell Police Department. C. Chau noted the work of Dept. Supt. Larocque.

**Motion** by C. Elliott, seconded by C. Mercier to take Items #7.2F and #7.2G out of order. So voted.

### **3. CITY CLERK**

#### **3.1. Minutes Of Economic/Downtown Development SC March 22nd And April 13th; Arts And Culture SC April 13th; City Council Regular Meeting April 13th; City Council Special Meeting (Auditor Interviews) April 20th, For Acceptance.**

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

### **4. UNFINISHED BUSINESS**

#### **4.1. C. Samaras - Req. City Mgr. Have Proper Department Assess The Condition Of The City Parking Kiosks And To Prepare A Plan For Proper Maintenance. (From 4/13/21)**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Samaras noted the need to address machines that do not operate as they cause much frustration with citizens. C. Nuon noted that machines need to operate correctly especially as the area surrounding new court house becomes busier. C. Nuon commented that meter personnel should report any issues with equipment.

#### **4.2. C. Drinkwater - Req. City Mgr. Provide An Update On The Municipal Vulnerability Preparedness Plan And The Feasibility Of Submitting A Proposal For The Current Round Of Municipal Vulnerability Preparedness Action Grants To Help The City Of Lowell Become More Climate Resilient Through Climate Change Adaptation Projects. (From 4/13/21)**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Drinkwater commented on prior grants and preparing plans and noted that there would be a second round of grants available which would increase funding for certain projects. Manager Donoghue noted that there is a second round of grants and that City would be filing applications for them.

#### **4.3. C. Chau - Req. City Mgr. Notify The Lowell Delegation Regarding The Support Of The City Council For SD. 1323 And HD. 1986, Raising The Penalty For Shooting Into A Dwelling From A Misdemeanor To A Felony, And Urging Their Success In Becoming Law. (From 4/13/21)**

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Chau commented on shootings in the City and the danger of innocent people being hurt and provided statistics for shooting incidents in the City.



**4.4. C. Chau - Req. City Mgr. Contact MassDOT Regarding Remedial Actions Needed To Enhance The Safety At The End Of The Lowell Connector At Gorham Street. (From 4/13/21)**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Chau commented on the area that needs safety improvements as there has been a number of deaths at that location.

**4.5. M. Leahy - Req. City Mgr. Send Letter To Hannaford Requesting That They Keep Their Rogers Street Pharmacy Department Open And Operating. (From 4/13/21)**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. M. Leahy commented on need to support the keeping the pharmacy in place so that citizens have options.

**5. GENERAL PUBLIC HEARINGS**

**5.1. Order - Abandon Portion Of Canal St. (Continued From April 13, 2021)**

In City Council, Given 2<sup>nd</sup> Reading, re-open hearing, hearing held. No Remonstrants. **Motion** to refer to Clerk's Office for 7 days by C. Mercier, seconded by C. Rourke. So voted.

**6. UTILITY PUBLIC HEARING**

**6.1. National Grid - Request Reconstruction Of Gas Pressure Regulator Station And Add A SCADA System At The Intersection Of Highland Street And Thorndike Street.**

In City Council, Given 2<sup>nd</sup> Reading. Hearing held. Shawn Ward (National Grid) spoke in favor of the petition. No Remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Elliott, seconded by C. Chau. So voted.

**7. COMMUNICATIONS FROM CITY MANAGER**

**7.1. Motion Responses.**

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

**A) Motion Response - Fire Department Company Closings** – C. Mercier noted in a perfect world there would be no closings but commented that this is a strong plan to keep the stations open especially during colder months and in dense areas. C. Rourke noted all of the parties that had come together to advance the plan. C. Nuon commented on the effort to come up with a suitable plan. C. Drinkwater questioned some specifics of the plan including maximum number of closings throughout the year. Manager Donoghue commented on the efforts of the administration including work of Conor Baldwin (CFO). Mr. Baldwin noted the goals that had been set and the effort to achieve those goals regarding closings. C. Chau requested statistics of locations and



times of fires throughout the City. C. Elliott commented on the efforts of all and noted that public safety is always a priority and that this plan will be successful. C. Mercier commented on use of grant money to bolster the success of this plan.

**B) Motion Response - Short-Term Rentals – Motion** by C. Elliott, seconded by C. Conway to refer matter to Zoning SC. So voted.

**C) Motion Response - St. Louis School and Reducing Special Education Costs –** C. Elliott noted the need to reduce this educational costs and that location should be identified. Manager Donoghue noted the school administration is searching for locations to house the program.

**D) Motion Response - Two for Lowell Program –** C. Elliott commented that the goal is home ownership and not renting and that this program can assist with obtaining that goal. C. Elliott noted that bigger issue is holding absentee landlords accountable for code violations on their properties.

**E) Motion Response - Basketball Hoops at City Parks –** C. Nuon recognized the report and supported conclusions.

## 7.2. Informational Reports

**F) Informational - Acre Crossing Presentation –** Manager Donoghue introduced team that was part of project in the Acre at the old Jeanne D’Arc site at the corner of Cabot and Merrimack Streets. John Chemly (Board of Directors Jeanne D’Arc) introduced Mark Cochran and Will Soucy who made presentation entitled “Acre Crossing – Joint Venture Construction of Two New Buildings, offered by Jeanne D’Arc Credit Union & Soucy Industries”. C. Samaras noted concern for that business corridor. C. Elliott noted support for this project noting Acre location and construction of parking facility at the site. C. Chau commented on the housing element of the proposal and the need for improvement in the area. C. Conway noted project would improve area and provide jobs and housing as well as parking solutions. C. Nuon noted the attractiveness of the project and was a better fit then prior proposals. C. Mercier commented on the importance of the project and noting it is one City could support. C. Drinkwater noted the home ownership aspect of the project noting financial assistance that would be provided to purchase a unit in the complex. Manager Donoghue noted support of the City and the availability of assistance from many sources as the project will produce jobs and improve infrastructure in the area.

**G) Informational - Cawley Memorial Stadium Update –** Manager Donoghue commented on past and current improvements to the facility; such as field and track. Manager Donoghue noted that much work is still needed and noted prioritizing the work and as well as the involvement of private/public financial assistance. Manager Donoghue noted discussion regarding installing a field house type structure at the site. Camilo Espitia (PD) commented on future development of the Cawley site outlining the challenges and opportunities to provide improvements in the area. Yovani Baez-Rose commented on project costs and funding sources available from grants and partnerships. C. Rourke commented on working being done and the effort of the



administration in setting wish list which may get done by various approaches. C. Samaras noted the partnerships will be important moving forward to address the many needs. The Lowell Athletics and Activities Foundation represented by Matt LeLacheur, Christopher Dick, Marisol Nobregia and Caroline Zacharer commented on the fundraising efforts of the group and the importance of enhancing the facility. C. Rourke noted group had already raised substantial amount of money towards the goals.

**H) Informational - Shared Streets Pilot Programs** – Manager Donoghue noted the funding and the projects they will be used for. **Motion** by C. Elliott, seconded by C. Mercier to refer matter to Transportation SC. So voted.

**I) Informational - LTC Board of Directors Appointment** – Manager Donoghue commented on effort to reach out to Lowell residents to fill the position. C. Elliott noted the need to fill this position with a Lowell resident and that there are still many opportunities to be a part of boards and commissions.

### **7.3. Communication-Appoint Mark Paton-Election Commission.**

In City Council, Read, **Motion** to adopt by C. Rourke, seconded by C. Elliott. Adopted per Roll Call vote 9 yeas. So voted.

**Motion** by C. Rourke, seconded by C. Samaras to bundle and waive full reading of Items #8.1 to #8.5, inclusively. So voted.

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

### **8.1. Vote-Accept.Expend 250,000 MassCall3 Grant.**

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

### **8.2. Vote-Auth CM Execute License Agreement-160 Merrimack St-Overhanging Signs.**

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

### **8.3. Vote-Declare Surplus And Convey To Lupoli Companies LLC.**

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

### **8.4. Vote-Loan Holbrook Bell To St. Patricks Church.**

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



## **8.5. Vote-Transfer 20,000 DPD Fund Transportation Infrastructure Wk In And Around The Lowell Connector.**

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

## **9. RESOLUTIONS**

### **9.1. Resolution-Affirming Inclusion Respect And Justice For All Notably Asian Americans.**

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

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

### **10.1. Neighborhoods SC April 27, 2021.**

In City Council, C. Rourke provided report outlining the attendance and discussion regarding report dated October 2020 entitled "Zoning For More Housing In Lowell". C. Rourke commented that no action taken by the subcommittee and there were no recommendations but noted the goal was making housing more affordable. **Motion** to accept the report as a report of progress by C, Rourke, seconded by C. Nuon. So voted.

## **11. PETITIONS**

### **11.1. Claims - (1) Property Damage; (1) Personal Injury.**

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

### **11.2. Misc. - Denise Moses Request Installation Of Handicap Parking Sign In Front Of 183 W. 6th Street. Street.**

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

### **11.3. National Grid - Request Installation Of 975 Feet Of 12 Inch Plastic Gas Main Along Jackson, Marston, Middlesex, South And Summer Streets.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on May 11, 2021 at 7PM by C. Chau, seconded by C. Drinkwater. So voted.

## **12. CITY COUNCIL - MOTIONS**

### **12.1. C. Elliott - Req. City Mgr. Have Law Department Prepare Proper Vote To Take By Tax Title The Abandoned Property At 39 Jewett Street.**



In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. C. Elliott noted the site was a nuisance property and also noted a problem property on Broadway Street.

**12.2. C. Elliott - Req. City Mgr. Provide A Report Regarding The Ability To Put Construction Plans On Line For Residents To Review.**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Elliott noted the community should be made aware of construction going on in their area.

**12.3. C. Rourke - Req. City Mgr. Contact MassDOT To Request Cleaning Of Center Islands And Areas Behind Guard Rails And Fencing Along VFW Highway From The Rourke Bridge To The Bridge Street Intersection.**

In City Council, seconded by C. Chau, referred to City Manager. So voted. C. Rourke noted the need for the Spring clean-up.

**13. CITY COUNCIL - EXECUTIVE SESSION**

**13.1. Executive Session - Regarding Matter Of Litigation, Namely Huot Et Al V. City Of Lowell, Public Discussion Of Which Could Have A Detrimental Effect On The City's Position.**

In City Council, M. Leahy stated reason for Executive Session, **Motion** by C. Samaras, seconded by C. Rourke to enter Executive Session for stated purpose and adjourn from Executive Session (8:50 PM). Adopted per Roll Call vote 9 yeas. So voted. M. Leahy stated that body would adjourn from the Executive Session.

**14. ANNOUNCEMENTS**

In City Council, none

**15. ADJOURNMENT**

In City Council, **Motion** to Adjourn by M. Leahy, seconded by C. Elliott in Executive Session. So voted.

Meeting adjourned at 9:15 PM in Executive Session.

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Michael Q. Geary, City Clerk