



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: May 17, 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.

M. Chau presiding.

C. Mercier requested moment of silence in darkened chamber for Janet Barsorian. C. Yem requested moment of silence in darkened chamber for the victims of the Buffalo, NY and California shootings. M. Chau requested moment of silence in darkened chamber for Kathleen Bradley and the shooting victims of Buffalo, NY; naming each victim.

2. MAYOR'S BUSINESS

2.1. Citation - Robert Boehm.

In City Council, M. Chau requested matter be continued to next week.

2.2. Recognition - Sahel Restaurant.

In City Council, **Motion** "To accept and place on file" by C. Yem, seconded by C. Scott. So voted. The owners of the establishment, Dan Gibson, Emile Camoder and Gaud Son, addressed the Council.

Motion to suspend rules by C. Robinson, seconded by C. Mercier to recognize DPW workers. So voted. M. Chau provided proclamation declaring "National Public Works Week" to City DPW. Glen Rivard and Mark Byrne, both of DPW, addressed the Council regarding the recognition. C. Gitschier commented on the scope of work of the department and that pay should be adjusted accordingly. C. Robinson commented on the demands of the job. C. Mercier noted the workers are always there when you need them. C. Jenness noted the support they provide to the entire City. C. Yem commented on the support as well. C. Drinkwater recognized the department and the support they provide the City.

2.3. 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. Mercier. So voted.

3. CITY CLERK

3.1. Minutes Of Transportation SC May 10th; City Council Meeting May 10th; Auditor/Clerk Oversight And Personnel SC May 11th, For Acceptance.

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

4. AUDITOR BUSINESS

4.1. Communications:

1. Financial Statement for year ending June 30, 2021;
2. Federal Awards Program for year ending June 30, 2021; and
3. Management Letter June 30, 2021.

In City Council, **Motion** "To refer to Finance SC" by C. Jenness, seconded by C. Robinson. So voted. **Motion** by C. Gitschier, seconded by C. Drinkwater to take Item #6.2(N) for discussion with this item. So voted.

Motion by C. Rourke, seconded by C. Nuon to take out of order and bundle Items #6.3 and #6.4. So voted.

5. UNFINISHED BUSINESS

5.1. Order - Abandon Portion Second Street.

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

Motion by C. Robinson, seconded by C. Rourke to take Items #10.3; #10.5; #10.6; and #10.8 out of order. So voted.

6. COMMUNICATIONS FROM CITY MANAGER

6.1. Motion Responses.



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

A) Motion Response - 15 Minute Parking for Open Pantry – C. Mercier recognized the efforts of Mr. Ryan in the Parking Department for moving forward with the request.

B) Motion Response - Parking Placard Policy – C. Scott noted the options in the report. **Motion** by C. Scott, seconded by C. Yem to refer to Neighborhoods SC joint with the Finance SC. So voted. C. Yem noted there may be a fee adjustment. C. Gitschier noted that program is abused in some instances. C. Yem commented on his use of the placard system.

C) Motion Response - Street Light at 465 School St. – C. Nuon commented on the positive response.

D) Motion Response - Pavement Prevention Treatment – C. Gitschier noted positive report and proper plan moving forward to ensure holes are filled to last a longer period of time. C. Gitschier commented that preventative care at each stage would ensure cost savings. C. Yem noted it was an extensive report with much information.

E) Motion Response - Clean Up of Kerouac Park – C. Robinson noted this should be part of regular routine. C. Jenness noted the upcoming event.

F) Motion Response - Trash Barrels in Hamilton Canal Innovation District – C. Jenness noted the amount of barrels in place and that they are being used. Manager Golden, Jr. commented on open green space in that area and agreement with parties to maintain. C. Rourke commented on stalled garage construction. Manager Golden, Jr. commented on permitting issues being resolved as well as traffic plan submissions.

G) Motion Response - Trash Pick Up at City Parks – C. Drinkwater noted positive results with collection plan. C. Robinson noted the importance of partnerships with different leagues. Manager Golden, Jr. noted that added policy would be to ensure if garbage is spotted it will be reported and collected and that shift changes assisted with management of the issue. C. Robinson questioned if City has use of dumpsters. Mr. Byrne commented on pick-up days and the use of dumpsters by the City. C. Leahy noted it was good proactive approach with many involved.

H) Motion Response - Spring Field Use – C. Gitschier noted opening days at the parks were successful and maintenance should continue. C. Gitschier questioned the rental process for the parks and that there should be shared data base with all departments. Manager Golden, Jr. noted such arrangements were being explored.

I) Motion Response - Cleaning for Folk Festival – C. Nuon recognized the report. C. Jenness noted it was a premier event in the City.

J) Motion Response - Police Patrol Gorham, Central and Charles Streets-



Discussion recorded in Item #9.1 – Report of the Neighborhoods SC joint with Public Safety SC.

K) Motion Response - Route 38 Traffic – C. Leahy noted report. C. Nuon commented on history of the project and that issues must be readdressed and noted the request to MassDOT for further review.

L) Motion Response - Cunningham Stop Sign – None.

M) Motion Response - Central Street Bridge – C. Jenness questioned when construction would begin again. Christine McCall (DPD) noted time line after the scope of project was changed which would extend the life span of the bridge and that costs would be shared by MassDOT. Manager Golden, Jr. commented on the costs sharing agreement. C. Leahy questioned time frame for full use of the bridge.

6.2. Informational Reports

N) Informational - FY2021 Audit - Management Response – Conor Baldwin (CFO) noted the reports were done annually by outside auditing firm. Mr. Baldwin commented on the OPEB liability which continues year to year and requested that matter be referred to Finance SC for review. C. Mercier noted that the payroll process needed attention per the audit. C. Scott questioned the use of MUNIS regarding payroll. Mr. Baldwin indicated that City uses MUNIS and that added modules must be used especially by larger departments like schools especially as the City moves toward bi-weekly payroll. Kelly Oakes (Auditor) noted paper submission are common from School Department which is not functional with the system. C. Rourke commented on the system use with the schools. Ms. Oakes noted issues with overpayments on the school side. C. Rourke questioned if money was captures back. Mr. Baldwin commented on many meetings with schools regarding implementation of needed modules in the system. C. Nuon noted there must be a hard line to implement the process. Manager Golden, Jr. commented on the efforts of the City and his discussions with the Superintendent to correct the point made on the outside management letter. Manager Golden, Jr. indicated an October time frame is considered and that the City is willing and able at any time to assist schools. C. Jenness questioned information regarding Cares Act. Mr. Baldwin indicated the amount that was captured and that all the monies have been spent in accordance with the Act. C. Gitschier commented if overpayments were made with specific knowledge then there should be consequences. C. Gitschier noted any overpayment is tax payer money and must be captured back. Ms. Oakes noted that must was but not sure of total amount. C. Drinkwater questioned what process would be to use MUNIS new modules. Ms. Oakes noted it would involve training and that due to size of school department then outside consultants would be best approach. C. Scott questioned comments regarding purchase orders. Ms. Oakes noted instructions regarding orders are communicated to the departments who must understand the process. C. Rourke questioned reluctance of schools to use system. Mr. Baldwin noted one issue is that the City has no management control over the department. **Motion** by C. Jenness, seconded by C. Robinson to refer matter to Finance SC. So voted.



6.3. Communication - Appointment Of Keith Rudy Sr. To Board Of Parks.

In City Council, Read. **Motion** to adopt by C. Yem, seconded by C. Nuon. Adopted per Roll Call vote 11 yeas. So voted. The following Councilor recognized each appointment: C. Yem; C. Robinson; C. Gitschier; C. Mercier; and C. Rourke. Manager Golden, Jr. commented on each appointment. Mr. Rudy addressed the body.

6.4. Communication - Appointment Of Melissa Desroches To Board Of Parks.

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

7. VOTES FROM THE CITY MANAGER

7.1. Vote - \$130,000 – LPD.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Drinkwater, seconded by C. Mercier. Adopted per Roll Call vote 10 yeas, 1 abstain (C. Scott). So voted. C. Gitschier requested update regarding whole list of vehicles owned by City and noted that City should purchase electric equipment and vehicles at every opportunity. Manager Golden, Jr. indicated that list is near completion. C. Yem commented on the advantages of electric power.

Motion by C. Jenness, seconded by C. Nuon to take Item #10.10 out of order. So voted.

7.2. Vote - Accept Expend MCC Grant From LMA.

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

8. ORDERS FROM THE CITY MANAGER

8.1. Order - 60 Day Trial.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt as amended by C. Drinkwater, seconded by C. Gitschier. Adopted per Roll Call vote 11 yeas. So voted. C. Leahy commented on High Street portion of the Order. Christine McCall (DPD) commented on recent walk through and recommendations from State noting that the police will be assisting with the process. **Motion** by C. Gitschier, seconded by C. Robinson to amend and withdraw East Merrimack/High Street portion of the Order. So voted. M. Chau indicated there is a need for further review as it relates to work being done on Central Street Bridge as well.

9. REPORTS (SUB/COMMITTEE, IF ANY)

9.1. Neighborhoods SC Joint With Public Safety SC May 17, 2022.



In City Council C. Mercier noted the attendance and discussion regarding Back Central Neighborhood. C. Mercier indicated that the report under Item #6.1(J) was discussed within the subcommittee noting efforts made already and further efforts to be made. C. Mercier noted discussions regarding police substations; vacant lots; vacant Superior Court House; and neighborhood calls. C. Mercier indicated a motion was adopted by the subcommittee to clear up vacant lot at 32 Union Street. C. Robinson questioned decriminalization effect on neighborhood. Acting Supt. Golner (LPD) noted that arrest could not be made which would prevent removal of certain individuals. Manager Golden, Jr. noted vacant lot is on Law Department list of problem properties. C. Gitschier noted quick actions resulted in positive action. C. Jenness recognized LPD and noted need for constant pressure. C. Yem commented on the use of mobile unit in the area. **Motion** to accept the report as a report of progress and adopt motions by C. Yem, seconded by C. Leahy. So voted.

Motion by C. Gitschier, seconded by C. Jenness to take Item #6.1(D) out of order. So voted.

9.2. Auditor/Clerk Oversight And Personnel SC May 11, 2022.

In City Council C. Gitschier noted the attendance and discussion regarding the DEI position within the City. C. Gitschier noted discussion with City Solicitor regarding effect on Plan E form of government. City Solicitor O'Connor outlined motions adopted by the subcommittee which recommended contract services with and under the purview of the City Manager to review aspects needed for a DEI position in the City. **Motion** to accept the report as a report of progress and adopt motion by C. Robinson, seconded by C. Mercier. So voted.

9.3. Wire Inspector Reports:

- 1) National Grid - Request Installation Of (1) JO Pole (17-50) On Market Street;**
- 2) National Grid - Request Installation Of 4 New 4 Inch Underground Electric Conduit To Property At 555 Middlesex Street;**
- 3) National Grid - Request Installation Of 50 Feet Of Underground Electric Conduit From Market Street To Service Property At 630 And 650 Merrimack Street; And**
- 4) National Grid - Request Installation Of Manhole, Hand Holes And (2) Underground Conduits On French And Kirk Street To Upgrade Lowell High School East Electric Service.**

In City Council, **Motion** "To accept and adopt accompanying orders" by C. Robinson, seconded by C. Jenness. So voted.

10. CITY COUNCIL - MOTIONS

10.1. C. Robinson - Req. City Mgr. Have Proper Department Look Into Adjusting Traffic Light At Bridge Street And VFW.

In City Council, seconded by C. Yem, referred to City Manager. So voted. C. Robinson noted the need for a left turn adjustment.



10.2. C. Robinson - Req. City Mgr. Have Proper Department Provide A Report On Potential Traffic Impact Of Implementing 4 Way Stop At High Street And East Merrimack Street Due To Central Street Bridge Only Functioning In One Direction.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Robinson noted prior response.

10.3. C. Robinson - Req. City Mgr. Have Proper Department Provide An Assessment Of The Infrastructure And Staffing Needed To Conduct Waste Water Evaluation For COVID As Well As Other Health Related Conditions That May Be Assessed Via Waste Water Surveillance.

In City Council, seconded by C. Jenness, referred to City Manager. So voted. C. Robinson noted request by resident with a health employee background. C. Robinson noted it should be explored.

10.4. C. Robinson - Req. City Mgr. Have Proper Department Provide Potential Correction Plan For Worst Areas Of 1st Street, Pulverize And Seal, Correct Drainage, Etc.

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

10.5. C. Robinson - Req. City Mgr. Have The Police Department Work With The Superintendent Of Schools And The Principal Of The Robinson School To Address Dismissal And Group Of Kids That Have Been Disturbing, Bullying Residents And Homes In The Immediate Area.

In City Council, seconded by C. Jenness, referred to City Manager. So voted. Registered speaker, Mark Fisher, addressed the body. C. Robinson commented that school authorities should be made aware of the situation. C. Leahy noted that the school should have already handle the matter and there lack of action cannot be tolerated. C. Gitschier noted that identification must be done perhaps City can assist with that before any action is taken. C. Mercier noted problems in all different sections throughout the City.

10.6. C. Robinson - Req. Update Regarding C. Drinkwater's Motion (6/22/21) On Partnering With Lowell National Historic Park; UMass-Lowell; And Other Relevant Non-Profit Organizations (Free Soil Arts, Etc.) To Explore Placing Permanent Signage Marking The 30 Plus Sites In Lowell Connected To The Underground Railroad And Anti-Slavery Movement.

In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. Registered speaker, Christa Brown (Zoom), addressed the body. C. Robinson recognized speaker and noted this as another example of the community stepping up.



10.7. C. Gitschier/C. Rourke - Req. City Mgr. Have The Proper Department Contact The American Legion, 684 Westford Street, On Removal Of The Building Out Back With An "X" On It, And Replace It With A Veterans' Healing Park.

In City Council, no second needed, referred to City Manager. So voted. C. Gitschier noted property is in dangerous condition. C. Rourke noted prior historical restrictions and that grant money may be used to assist with proposal.

10.8. C. Gitschier - Req. City Mgr. Look Into Hiring A Greeter For City Hall That Is Multi-Lingual To Help Residents When They Visit City Hall.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. Registered speakers, Sothea Chiemruom and Yun-Ju Choi, addressed the Council. C. Gitschier noted the importance of the greeter to make public feel comfortable and should be included in next year budget. C. Mercier noted need and also the use of a language line in the City. C. Robinson noted a directory could be created with many different languages. Manager Golden, Jr. commented that there were looking into all of these issues to assist the public. C. Nuon noted diverse staffs may not be enough, a dedicated position would be needed to assist with navigating the building. M. Chau noted the service is needed.

Motion by C. Mercier, seconded by C. Nuon to take Item #6.1(J) out of order. So voted.

10.9. C. Jenness - Req. Arts And Cultures SC Invite Representatives From Mosaic Lowell To A Subcommittee Meeting For An Update On Current Initiatives.

In City Council, seconded by C. Scott, referred to Arts and Cultures SC. So voted. C. Jenness noted group wished to share information with the subcommittee.

10.10. C. Jenness/C. Nuon - Req. City Mgr. Have The Proper Department Apply For Funding For Electric Vehicle Infrastructure Via The Competitive Bid Mechanism In The Federal Bipartisan Infrastructure Bill.

In City Council, no second needed, referred to City Manager. So voted. **Motion** to allow Steve Malagodi to address the body by C. Robinson, seconded by C. Nuon. So voted. C. Jenness noted all departments should be aware of possible funding sources.

10.11. C. Nuon/C. Jenness - Req. City Mgr. Have Superintendent Of Police Provide City Council With A Report Detailing The Training Curriculum, Including The Presentation And Materials, Which Will Be Used For The Implementation Of The Body-Worn Camera Program.

In City Council, no second needed, referred to City Manager. So voted. C. Jenness commented on offer of a demonstration before a subcommittee.



10.12. C. Nuon - Req. City Mgr. Have Proper Department Install A Stop Sign At The Intersection Of High And Sherman Streets.

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

10.13. C. Yem - Req. City Mgr. Have The Appropriate Department Provide An Update Regarding Status Of The Collapsed Retaining Wall Of CityPoint Condominiums At The Corner Of Middlesex And School Streets.

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

10.14. M. Chau - Req. City Mgr. Have Proper Department Explore Use Of Reduction Tracks (Speed Bumps) On Manufacturer Street In The Vicinity Of Sompao Meas Hall And Bam Bam Studio.

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

10.15. M. Chau - Req. City Mgr. Have Proper Department Provide 15 Minute Parking In Front Of 119 Chelmsford Street.

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

10.16. M. Chau - Req. City Mgr. Look Into Feasibility Of Adopting An Island In Cambodia Town.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. M. Chau commented on prior effort at monument square for signage to adopt an island by Cambodia Town Committee. C. Nuon noted sign should be available.

11. ANNOUNCEMENTS

In City Council, C. Gitschier, C. Rourke, C. Scott, C. Mercier, C. Jenness, Manager Golden, Jr., and M. Chau recognized and thanked Assistant City Manager Kara Keefe-Mullin on her last meeting as she is leaving the employ of the City. Ms. Keefe-Mullin addressed and thanked the body.

12. ADJOURNMENT

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

Meeting adjourned at 9:55 PM.

Michael Q. Geary, City Clerk

