



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Special Meeting (Rule 6 - FY23 Budget)

Date: June 7, 2022 (And other dates as needed)

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.

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

M. Chau outlined proposed procedure regarding public hearings on budget matters. C. Mercier noted her review of the budget and the investment in the City and the goals that it achieves. **Motion** by C. Mercier, seconded by C. Rourke to allow public to speak first and then have Council go department by department regarding the budget. Adopted per Roll Call vote 10 yeas, 1 nay (C. Gitschier). So voted. C. Mercier noted her willingness to go beyond 10 PM to ensure hearings are concluded this evening. C. Gitschier did not agree with format as there should be a line review due to the fact of the possible tax increases.



Conor Baldwin (CFO) provided a presentation entitled “FY13 Capital Plan” to the body which illustrated roadway repairs; parking improvements; ARPA fund use; Inland Street project; school buildings; and financing plans (debt service, credit rating). C. Leahy questioned scope of project on Inland Street. C. Gitschier noted that the gas company left that street in great disrepair. C. Gitschier noted the need to develop plans regarding fire houses. Mr. Baldwin commented on implementing a pay as you go capital plan to avoid future borrowing. C. Leahy noted needs of fire house repairs are prevalent.

3. GENERAL PUBLIC HEARINGS

3.1. Vote - FY23 Appropriation Order.

In City Council, Given 2nd Reading, hearing held. **Motion** to adopt by C. Mercier seconded by C. Drinkwater. Adopted by Roll Call vote 7 yeas, 4 nays (C. Gitschier, C. Nuon, C. Robinson, C. Scott). So voted. The hearing was open to the public and the following noted opposition to budget: Ms. Hart; Yun-Ju Choi; Mary Wambaghi; John Hamblet; Bobby Tugbiyele; Justin Ford; and Matty Leed. C. Rourke noted that there were many programs which would provide tax relief the elderly and other groups of people. Mr. Baldwin commented on those exemption programs. C. Gitschier requested all department heads be in the chamber so that public may see who they are and be introduced to them. C. Gitschier noted the importance of them in the chamber and they should be present to answer questions. Manager Golden, Jr. requested recess to prepare chamber to move department heads into chamber from Mayor’s Reception Room. Recess was at 7:55 PM and returned by Roll Call (11 present) at 8:00 PM.

Motion by C. Leahy seconded by C. Mercier to take Clerk’s Department; Law Department; Treasurer; and DPW (Administration) out of order as some members have conflict present. So voted.

Following departments were discussed:

City Council – Motion by C. Gitschier, seconded by C. Robinson to reduce item by \$25,000 (C. Gitschier salary). Adopted per Roll Call vote 7 yeas, 4 nays (M. Chau, C. Jenness, C. Mercier, C. Yem). So voted. C. Rourke questioned if money could be replaced if C. Gitschier were to longer serve. Mr. Baldwin noted that funds would be made available in that case.

City Clerk – C. Gitschier recused himself from discussion of this department due to conflict and was not present in the Chamber.

City Manager/City Manager Contingency – C. Jenness noted there was a difference in salary of Manager. Mr. Baldwin indicated that salary was for prior manager and that any overage would be go to free cash. C. Gitschier noted the contingency account and question the need for such a large sum. Mr. Baldwin outlined the account and noted it was an in and out transfer account. Manager Golden, Jr. commented on use of funds within the account which would need Council support. C. Gitschier noted that all transfers are visible via the MUNIS Account. **Motion** by C. Gitschier, seconded by C. Scott to reduce item by \$1,000,000. Defeated by Roll Call vote 3 yeas, 8 nays (M. Chau, C. Drinkwater, C. Jenness, C. Leahy, C. Mercier, C. Robinson, C. Rourke, C.



Yem). So voted. C. Nuon commented on the reserve fund and how it was used in prior years. Mr. Baldwin noted the two accounts as a reserve fund and a reserve for wages fund. Mr. Baldwin noted fund would be used for initiatives as well. Manager Golden, Jr. noted some projects would be the wage study and marketing plan for the City as well as other investments in the City. C. Drinkwater noted any use of funds must be approved by Council and that it would play into the pay as you go Capital Plan. C. Rourke supported how the funds would be used. C. Scott noted that account needed to be more clearly defined. C. Robinson questioned if wage contracts were all on same cycle. Mr. Baldwin noted that they were. Manager Golden, Jr. noted funds would have probably been assimilated into the budget in other areas if he were on board earlier. Motion by C. Gitschier, seconded by C. Nuon to allow members to speak more than once during budget session. So voted. C. Mercier noted wage study would improve City workforce. C. Gitschier commented on the wage study. Mr. Baldwin noted public procurement is needed to hire vendor. C. Gitschier noted other money could be used to offset reduction in the fund. C. Scott noted reduction of funding could be used for study. Manager Golden, Jr. commented that fund is important to avoid structural deficits in future budgets. Mr. Baldwin noted some costs may be covered by ARPA funds. C. Nuon stated wage study can be funded elsewhere. Manager Golden, Jr. noted need to avoid use of free cash in the budget funding as to improve bond rating and interest rate available to City. Manager Golden, Jr. noted investments in the City will ease tax burden on residents. C. Jenness requested process regarding wage study. Manager Golden, Jr. noted discussion regarding wage study with changes implemented in the future. C. Jenness noted it was an account to assist with reaching Council goals and objectives. C. Drinkwater noted funds could be used for other priorities in a pay as you go Capital Plan. Manager Golden, Jr. noted wage study would be done in stages. C. Mercier requested constant update on balance within fund moving forward.

Purchasing – Department Head Michael Vaughn was present.

Assessing – Department Head Ellen Brideau was present. C. Scott noted the performance metric and requested further report.

Treasurer - C. Yem recused himself from discussion of this department due to conflict and was not present in the Chamber. Department Head Theodoros Panagiotopoulos was present.

Human Relations – Department Head Mary Callery was present. C. Gitschier questioned the number of open positions in the City. Manager Golden, Jr. noted the number of open positions and commented that audits are being done to assess the needs. C. Gitschier noted that the department was not funded enough to ensure that prior Cliff Larsen Allen HR report recommendations are implemented. Ms. Callery commented on recent use of online applications have assisted in the process. C. Gitschier noted need to fund in order to train and implement the report. Manager Golden, Jr. noted much is being done through Manager's office. C. Yem questioned scope of duties of HR Generalist. Ms. Callery outlined the position noting the position will assist at many responsibilities. C. Nuon commented on the position of Generalist. C. Robinson noted the Cliff Larsen Allen report noted such a position should not be



used for administration and that the department is highly understaffed. Manager Golden, Jr. commented on the types of applications being received by the City. C. Robinson commented on the vacant positions. Mr. Baldwin noted hiring freeze surrounding early pandemic and that the City is still feeling the effects of that. C. Leahy noted this could be an area to use contingency funds.

Management Information Systems – Department Head Miran Fernandez was present. C. Gitschier questioned the amount of equipment purchased by the City. Mr. Fernandez noted equipment was purchased for each department. **Motion** by C. Gitschier, seconded by C. Scott to reduce item by \$186,017 (2 positions). Defeated by Roll Call vote 5 yeas, 6 nays (M. Chau, C. Jenness, C. Leahy, C. Mercier, C. Rourke, C. Yem). So voted. Mr. Fernandez noted one of the positions was funded by the school side and the other position assist with many continuing programs. C. Gitschier questioned school funding City position. Mr. Baldwin noted this was first time it has been done. C. Gitschier noted each position comes with additional costs.

Motion to Waive Rule 5 by C. Mercier, seconded by C. Robinson. Adopted per Roll Call vote 11 yeas. So voted.

Mr. Baldwin noted that if school did not fund there would be no position. C. Mercier noted the many services the department provides. C. Jenness questioned when last time position was added was and that field has changed over time. C. Jenness commented on change in repair line item. Mr. Fernandez noted increase in prices and technology. C. Nuon questioned why current application specialist could not work with schools. Mr. Fernandez noted department supports many school services. C. Scott questioned if schools have accepted this arrangement. C. Robinson questioned if presented to the schools. C. Gitschier commented on the amount of employees in comparison to prior years. Mr. Baldwin noted that boards and commissions members were part of that calculation earlier.

Law – C. Jenness recused himself from discussion of this department due to conflict and was not present in the Chamber. C. Gitschier commented on outside funding by the department. Solicitor O'Connor noted possible source is ARPA funding. C. Gitschier noted the surplus in Judgement/Claims account. Solicitor O'Connor noted account was funded steadily throughout the years and same amount. **Motion** by C. Gitschier, seconded by C. Scott to reduce item by \$187,500.00. Defeated by Roll Call vote 1 yea, 9 nays (M. Chau, C. Drinkwater, C. Leahy, C. Mercier, C. Nuon, C. Robinson, C. Rourke, C. Scott, C. Yem), 1 abstain (C. Jenness). So voted. Solicitor O'Connor was against the cut as the amount was lean and consistent throughout years. Mr. Baldwin noted that these funds came under a separate appropriation. C. Nuon questioned why they were separate. Mr. Baldwin noted it was done so to track more efficiently. C. Rourke noted payments of judgements do not come before Council. Mr. Baldwin noted Council approval was not needed. C. Nuon questioned what foreseeable funds would be needed. Solicitor O'Connor noted it was difficult to predict but needed to be in place. C. Yem noted the separate line item. C. Drinkwater noted different line item and it is a fair amount and money left over will be included in free cash.



Elections – C. Gitschier questioned if position has been filled. Manager Golden, Jr. noted there were two applicants.

Planning & Development – Department Head, Christine McCall was present. C. Gitschier questioned funding for five new positions. Ms. McCall noted only one new position as the energy advocate and the need for two wire inspectors. C. Gitschier commented on energy advocate position. Ms. McCall noted new positions would assist with following Green Community Initiatives. C. Leahy requested information regarding wire inspectors. Ms. McCall outlined the need to increase the number.

Police – Acting Superintendent Barry Golner was present. C. Gitschier questioned court time account with shift differential. Supt. Golner commented on the accounts. **Motion** by C. Gitschier, seconded by C. Scott to reduce item by \$150,000.00. Defeated by Roll Call vote 1 yea, 10 nays (M. Chau, C. Drinkwater, C. Jenness, C. Leahy, C. Mercier, C. Nuon, C. Robinson, C. Rourke, C. Scott, C. Yem). So voted.

Fire – Chief Charron was present. C. Gitschier noted transfer regarding overtime. Chief Charron noted money needed for promotional status. C. Gitschier questioned the promotional positions comes with added costs. Mr. Baldwin commented on the positions. Chief Charron noted there were no new positions. C. Leahy questions costs of turn-out gear. Chief Charron outlined recent purchase of that equipment. C. Yem commented on the repair expenses for the buildings. C. Robinson noted level funding gas/oil would not be sustainable. C. Nuon questioned amount of overtime. Mr. Baldwin noted there were supplemental increases in the overtime as well. C. Mercier noted fuel costs will be extremely high due to price of diesel. C. Robinson commented on the out of grade compensation. Chief Charron commented on reason for such compensation. Mr. Baldwin noted that this was negotiated with the unions. C. Gitschier commented on overtime and that houses were still being closed during the year. Chief Charon noted request for overtime amount will less than needed. C. Gitschier noted public safety first priority. C. Yem commented on possible use of electric fleet. C. Nuon noted the Assistant Chief position would assist with overtime and training. C. Drinkwater noted the need to avoid closings and that Manager's Contingency fund could assist with that.

Greater Lowell Technical School - C. Gitschier recused himself from discussion of this department due to conflict.

DPW Administration - C. Mercier recused herself from discussion of this department due to conflict. Acting Department Head, Mark Byrne was present.

DPW Land & Buildings; Electrical; Streets; Waste Collection & Disposal; and Parks – C. Robinson commented on status of LeLacheur Park. C. Scott commented on building supplies. Mr. Byrne outlined current work being done and the need for supplies. C. Nuon noted the amount for on-call services. Mr. Byrne noted the need for such services. C. Nuon commented on LeLacheur Park. C. Yem noted overtime account. Mr. Byrne noted they must cover all City and school buildings. C. Robinson commented on the increase of electricity. Mr. Baldwin noted were all the lights are



being used in the parks and they are exploring increased use of solar energy. C. Robinson commented on sidewalk repair. Mr. Byrne noted costs to temporary repairs to cement sidewalks. C. Scott noted surplus in waste collection account. Mr. Baldwin commented on usage, the surplus and estimated usage. Mr. Baldwin noted new contract will be less beneficial to the City. Mr. Byrne noted that tonnage will increase this year which will influence costs upward. C. Gitschier noted that there was still a surplus in the account. **Motion** by C. Gitschier, seconded by C. Scott to reduce item by \$1,000,000.00 (Waste Collection Account). Defeated by Roll Call vote 5 yeas, 6 nays (M. Chau, C. Drinkwater, C. Leahy, C. Mercier, C. Rourke, C. Yem). So voted. C. Robinson commented on personal services part of the item. Mr. Byrne noted there were many repairs slated for the parks. Mr. Baldwin noted account is used for uniforms and signs as well.

Motion by C. Gitschier, seconded by C. Jenness to move to vote on budget. So voted. C. Gitschier did not see any possible cuts would be supported with remaining line items.

In City Council, M. Chau called for a 15 minute recess for procedural review at 11:30 PM. Roll Call upon return at 11:40 PM noted 11 present. Chair indicated FY23 Budget was adopted by the Council.

3.2. Vote - Endorse The 5 Year Capital Plan.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Drinkwater, seconded by C. Jenness. Adopted by Roll Call vote 11 yeas. So voted.

3.3. Loan Order - Capital Plan Loan Order.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt and refer to Clerk's Office for 20 days by C. Jenness, seconded by C. Leahy. Adopted by Roll Call vote 10 yeas, 1 nay (C. Gitschier). So voted.

3.4. Loan Order - Grand Manor Judgment.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt and refer to Clerk's Office for 20 days by C. Mercier, seconded by C. Nuon. Adopted by Roll Call vote 11 yeas. So voted.

3.5. Ordinance - Amend Sewer Rate FY23.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Robinson, seconded by C. Yem. Adopted by Roll Call vote 10 yeas, 1 nay (C. Gitschier). So voted.



3.6. Ordinance - Amend Water Rate FY23.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Rourke, seconded by C. Scott. Adopted by Roll Call vote 10 yeas, 1 nay (C. Gitschier). So voted.

3.7. Ordinance - Create New Position (DPD - Energy Advocate).

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Yem, seconded by C. Drinkwater. Adopted by Roll Call vote 11 yeas. So voted.

3.8. Ordinance - Create New Position (DPW - Facilities & Infrastructure Project Manager).

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Jenness, seconded by C. Gitschier. Adopted by Roll Call vote 10 yeas, 1 nay (C. Gitschier). So voted.

3.9. Ordinance - Create New Position (Fire - Assistant Chief).

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Leahy, seconded by C. Mercier. Adopted by Roll Call vote 11 yeas. So voted.

3.10. Ordinance - Create New Position (HR - HR Generalist).

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Nuon, seconded by C. Robinson. Adopted by Roll Call vote 11 yeas. So voted.

4. ADJOURNMENT

In City Council, **Motion** to Adjourn by C. Yem, seconded by C. Scott. So voted.

Meeting adjourned at 12:10 AM.

Michael Q. Geary, City Clerk