



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: August 9, 2022

Time: 6:30 PM

Location: City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA /
Zoom (Hybrid)

1. ROLL CALL

Roll Call showed 10 present (C. Robinson-Zoom), 1 absent (C. Gitschier).

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. Yem, seconded by C. Scott. So voted.

2.2. Citation - Veteran Of The Month (John MacDonald).

In City Council, **Motion** "To accept and place on file" by C. Mercier, seconded by C. Jenness. So voted. M. Chau read the citation. C. Mercier recognized Mr. MacDonald. C. Yem thanked Mr. MacDonald for his service. Mr. MacDonald addressed the Council.

2.3. Proclamation - National Health Week.

In City Council, **Motion** "To accept and place on file" by C. Jenness, seconded by C. Mercier. So voted. M. Chau read the proclamation and members of the Lowell Community Health Center were there to accept it and address the Council. C. Jenness



noted the importance of the week for the Center. C. Mercier noted the importance of the Center for the community.

3. CITY CLERK

3.1. Minutes Of Housing/Zoning Joint SC July 26th; City Council Regular Meeting July 26th; Election Laws And Redistricting SC July 27th, For Acceptance.

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

Motion to take Items #12.2 and #12.3 out of order by C. Mercier, seconded by C. Rourke. So voted.

4. GENERAL PUBLIC HEARINGS

4.1. Ordinance - Create Position - Deputy Commissioner-Facilities.

In City Council, Given 2nd Reading, hearing held. Speaking in favor was Mark Byrne (DPW) who described the position. No Remonstrants. **Motion** to adopt by C. Leahy seconded by C. Yem. Adopted by Roll Call vote 10 yeas, 1 absent (C. Gitschier). So voted. C. Leahy questioned if position was in addition to personnel at the high school. Manager Golden, Jr. noted the position would be focused on the high school primarily. C. Leahy noted there should be a position solely for the high school. C. Scott noted position is needed as maintenance is vital to the project. C. Rourke noted maintenance should be staffed and planned moving forward.

5. UTILITY PUBLIC HEARING

5.1. Boston Gas D/B/A National Grid - Request Installation Of Scada Box And Vent Pole On Boston Road At Spencer Street.

In City Council, Given second reading, hearing held, no remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Rourke, seconded by C. Jenness. So voted.

5.2. National Grid - Request Installation Of Underground Conduit At Varnum Avenue And Boulevard Street.

In City Council, Given second reading, hearing held, no remonstrants. David Boucher (National Grid) spoke in favor of the petition. **Motion** to refer to Wire Inspector for report and recommendation by C. Rourke, seconded by C. Yem. So voted.

Motion to suspend rules to discuss recent Folk Festival Event by C. Mercier, seconded by C. Robinson. So voted. Arthur Sutcliffe (Lowell Folk Festival Foundation) and a representative of Lowell National Parks addressed the Council regarding the past Lowell Folk Festival. C. Mercier recognized efforts of partners and volunteers. C. Rourke noted effort of the City, especially the LPD, LFD and the DPW. C. Jenness commented on the effort by all and the upgrades to festival were effective. C. Leahy commented on the cleanliness of the City and the organization of the effort. M. Chau



noted it was a great event. In City Council, **Motion** “To accept and place on file” by C. Yem, seconded by C. Mercier. So voted.

Motion to suspend rules to discuss Angkor Dance Troup by C. Nuon, seconded by C. Yem. So voted. M. Chau commented on the 35th Anniversary and presented a citation to the group. Ms. Bora Chiemruon addressed the Council on behalf of the group. In City Council, **Motion** “To accept and place on file” by C. Scott, seconded by C. Rourke. So voted.

6. COMMUNICATIONS FROM CITY MANAGER

6.1. Motion Responses.

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

A) Motion Response - Centralized Reporting Platform – C. Jenness commented on the existence of the platform and the app and requested that information be made available to the public.

B) Motion Response - Baker Commodities Odor Complaints – C. Scott noted complaints should be made to health department in Billerica and if no response then should notify the City. Lisa Golden (HHS) noted that she has a contact with that department.

C) Motion Response - Water Testing Notifications – C. Robinson noted the need to make information easy to locate.

D) Motion Response - Increase Patrol on Lower Gorham Street – C. Mercier noted that crowd will move when police have a presence and that they must be persistent in staying on top of the issue though it uses many resources. C. Jenness noted problems moving into the adjoining neighborhood.

E) Motion Response - Traffic Calming Measures For Andrews Street – C. Yem noted residents’ concerns have been addressed.

F) Motion Response - Beautify The Streets And Roadways – C. Mercier noted report regarding pesticide training. Mr. Byrne commented on staff, training and storage of pesticides in the City. C. Scott noted the need for chemicals to address overgrowth in the City. Mr. Byrne noted there is a vendor on board and working areas. C. Robinson noted regulations regarding storage and handling of the chemicals.

G) Motion Response - Castle Road Light On Pole – C. Mercier noted the light has been installed.

H) Motion Response - Dutton St. - LHS Improvement Plan – C. Robinson noted entrance has an effect on small business in the area. C. Leahy noted area should be improved. C. Robinson noted area does need improvement as an entrance to the new



high school and to assist surrounding business. Manager Golden, Jr. noted all of Dutton Street will be addressed.

I) Motion Response - Illegal Dumping in Public Receptacles – C. Robinson noted the problem with dumping household waste in public barrels and that the workers need protection from the illegal dumping.

J) Motion Response - Palin City Plaza – M. Chau noted the report.

K) Motion Response - Welcome to Lowell Landscaping – C. Jenness commented on the marked improvement and upgrade. C. Yem commented that there should be additional signage for City within the City.

L) Motion Response - John-Merrimack Streets Bus Stop – C. Robinson noted this was a step in the right direction.

M) Motion Response - Llewelyn St. – CPA - C. Robinson noted an opportunity to improve.

N) Motion Response - Lord Overpass Final – C. Yem noted the need to inform the small businesses in the area so that they may properly prepare for disruption. C. Leahy noted traffic is difficult during construction.

O) Motion Response - No Parking Ludlam Street – C. Robinson noted placement of signs.

P) Motion Response – Rodents – C. Mercier noted the City was putting forth great effort to address the issue and that it is difficult to resolve. Manager Golden, Jr. noted speed in which contract was executed and work could begin. C. Jenness noted that there should be less limits on the types of properties that will be targeted. C. Scott questioned if special code inspectors are being used. Christine McCall (DPD) noted special inspectors have been hired to manage the contract and to assist citizens with process. Manager Golden, Jr. commented on rollout of the program. C. Jenness noted service should extend to all buildings.

Q) Motion Response - 133 Roadwork – C. Mercier noted contractor needs to repair area as it was before construction. C. Drinkwater noted it was a State project and that MassDOT need to provide more information on the project. C. Leahy noted it is becoming a safety issue in the area.

R) Motion Response - Depreciation Schedules - Capital Assets with Attachments-Links – **Motion** by C. Nuon, seconded by C. Jenness to refer to Municipal Facilities SC. So voted.

S) Motion Response - Vehicle Inventory with Attachment – Manager Golden, Jr. requested matter be put on for the meeting of August 23rd so that C. Gitschier may be present. No objections.



6.2. Informational Reports

Informational - Bond Sale and Capital Improvements and Attachment – Conor Baldwin (CFO) noted sale funded many projects and that rate was favorable. C. Yem commented on favorable rate. Mr. Baldwin commented on credit report recommendation to avoid taking from reserves.

Informational - Marijuana Delivery with Attachment – Motion by C. Drinkwater, seconded by C. Yem to refer to joint Cannabis Control SC and Zoning SC. So voted.

Informational - DMU Zoning with Attachment - Motion by C. Drinkwater, seconded by C. Yem to refer to joint Housing SC and Zoning SC. So voted.

Informational - Gallagher Station TOD Draft Overlay District with Attachment - Motion by C. Drinkwater, seconded by C. Yem to refer to Zoning SC. So voted.

Motion to bundle and waive second reading Items #7.1 to #7.4, inclusive, by C. Mercier, seconded by C. Nuon. So voted.

7. VOTES FROM THE CITY MANAGER

7.1. Vote - Accept/Expend \$467,422 FR-CARA Grant.

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

7.2. Vote - Authorize Manager Execute Annual Action Plan FY22-23.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Yem, seconded by C. Rourke. Adopted per Roll Call vote 10 yeas, 1 absent (C. Gitschier). So voted. C. Nuon noted information about all available programs should be dispersed to public. Ms. McCall commented on some of the available programs.

7.3. Vote - Transfer Funds For Legal Professional Costs – Law.

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

7.4. Vote - Transfer Funds For Poll Worker Pay – Elections.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Yem, seconded by C. Rourke. Adopted per Roll Call vote 10 yeas, 1 absent (C. Gitschier). So voted. C. Jenness noted quick action was necessary.



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 by C. Jenness, seconded by C. Nuon. Adopted per Roll Call vote 10 yeas, 1 absent (C. Gitschier). So voted.

Motion to bundle Items #9.1 and #9.2 by C. Jenness, seconded by C. Rourke. So voted.

9. ORDINANCES FROM THE CITY MANAGER

9.1. Ordinance - Create Lowell Youth Commission.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on August 23, 2022 at 7 PM by C. Nuon, seconded by C. Jenness. So voted.

9.2. Ordinance - Create Position - COA Bookkeeper.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on August 23, 2022 at 7 PM by C. Nuon, seconded by C. Jenness. So voted.

10. REPORTS (SUB/COMMITTEE, IF ANY)

10.1. Election Laws/Redistricting SC July 27, 2022.

In City Council, C. Robinson provided report outlining discussion of polling locations and the new Election Director, Greg Pappas. C. Jenness requested status of notices that must be sent to voters regarding upcoming election. C. Jenness noted possible poll worker shortage and need plan to address same. Manager Golden, Jr. indicated positions would be filled. C. Robinson commented on shortfall and indicated the positions would be filled. **Motion** to accept the report as a report of progress by C. Jenness, seconded by C. Drinkwater. So voted.

10.2. Cannabis Control SC August 9, 2022.

In City Council, C. Drinkwater noted attendance and provided report outlining agenda items which included increasing cap of permits; implementing delivery system in City; and revenue derived from establishments. C. Drinkwater noted further meetings.

Motion by C. Rourke, seconded by C. Scott to refer to Cannabis Control SC joint with Zoning SC. So voted. C. Rourke noted the importance of lifting the cap on permits.

Motion to accept the report as a report of progress by C. Leahy, seconded by C. Robinson. So voted.

Motion to bundle Items #11.1 to #11.4, inclusive, by C. Mercier, seconded by C. Nuon. So voted.



11. PETITIONS

11.1. National Grid - Request Installation Of 65 Feet Of Conduit In Sidewalk To Service 173 East Merrimack Street.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on August 23, 2022 at 7 PM by C. Mercier, seconded by C. Nuon. So voted.

11.2. National Grid - Request Installation Of Fifty Feet Of Concrete Duct To Service 10 Technology Drive.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on August 23, 2022 at 7 PM by C. Mercier, seconded by C. Nuon. So voted.

11.3. National Grid - Request Installation Of (2) JO Poles On Varnum Avenue Across From Boulevard Street.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on August 23, 2022 at 7 PM by C. Mercier, seconded by C. Nuon. So voted.

11.4. Boston Gas D/B/A National Grid - Request Installation Of Gas Mains On Tenth, Grandview And Mt. Pleasant Streets.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on August 23, 2022 at 7 PM by C. Mercier, seconded by C. Nuon. So voted.

12. CITY COUNCIL - MOTIONS

12.1. C. Mercier - Req. City Mgr. Have Proper Entity Light Up The John Cox Bridge In Purple In Recognition Of "Overdose Awareness Month—August" During The Week Of August 24th To The 31st.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Mercier requested proper authority be directed to provide the lighting. Nancy McGovern (Mgr. Office) indicated that it will be done.

12.2. C. Mercier - Req. City Mgr. Provide Support From DPW i.e.; Trash Pickup And Plastic Bags, To Adopt The JAMS (Jackson, Appleton, Middlesex And Summer Streets) Project For The South Common To Empower Individuals To Invest In Their Environment/Community.

In City Council, seconded by C. Jenness, referred to City Manager. So voted. Registered speaker, Robin Brown, addressed the Council. C. Mercier noted idea was from a citizen and her action to get all involved with cleaning the City. C. Yem recognized Ms. Brown. C. Leahy commented on the actions of Ms. Brown.

12.3. C. Mercier - Req. City Mgr. Find Ways And Means To Provide A Memorial Space For Family And Loved Ones Who Experienced A Tragic Loss Due To Any Type Of Violence.



In City Council, seconded by C. Nuon, referred to City Manager. So voted. Registered speaker, Mary Silva, addressed the Council, along with mother of homicide victim. C. Mercier noted this was important as part of healing process. C. Nuon noted peace gardens and how they are organized. C. Robinson noted importance of request. C. Rourke commented it would assist with all victims of crime. Ms. Silva presented pictures to the body.

Motion to suspend rules to take Items #12.14; 12.19; 12.21; and 12.24 by C. Scott, seconded C. Yem. So voted.

12.4. C. Leahy - Req. City Mgr. Report To The City Council As To The Status Of Fire Trucks In The Lowell Fire Department.

In City Council, seconded by C. Jenness, referred to City Manager. So voted. C. Leahy noted a plan must be made to replace outdated equipment. Manager Golden, Jr. commented on progress being made. **Motion** by C. Scott, seconded by C. Jenness to take up Item #12.7 at this time. So voted.

12.5. C. Leahy/C. Gitschier - Req. City Mgr. Have The DPW Look At School Driveways And Make Necessary Repairs If Warranted.

In City Council, no second needed, referred to City Manager. So voted. C. Leahy commented on minor repairs as it is close to school openings. **Motion** by C. Rourke, seconded by C. Scott to take up Item #12.15 at this time. So voted.

12.6. C. Gitschier - Req. City Mgr. Update The City Council On The Maintenance Plan For The Aiken Street Bridge.

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

12.7. C. Scott/C. Gitschier - Req. City Mgr. Provide An Update On Apparatus Replacement And Equipment Closures Of The Gorham Street Firehouse.

In City Council, no second needed, referred to City Manager. So voted. Manager Golden, Jr. noted the issue and the time needed to repair and in the interim there is Dracut truck being used. C. Scott noted the quick action that was needed and done.

12.8. C. Robinson/C. Scott - Req. City Mgr. Have Proper Department Provide An Update On Progress To Mitigate Odor From Duck Island As Well As Any Recommendations On Best Practices To Further These Efforts.

In City Council, no second needed, referred to City Manager. So voted.

12.9. C. Robinson/C. Scott - Req. City Mgr. Provide An Update On What Measures Has Human Resources Taken To Improve The Hiring Process In The City.



In City Council, no second needed, referred to City Manager. So voted. **Motion** to refer to Personnel SC by C. Robinson, seconded by C. Scott. So voted.

12.10. C. Robinson - Req. City Mgr. Have Proper Department Look Into Installation Of A Four Way Stop Sign At The Intersection Of West And West 6th Streets.

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

12.11. C. Robinson - Req. City Mgr. Have Proper Department Explore Involving Local Students Enrolled In Art Programs To Assist In Riverwalk Art Program.

In City Council, seconded by C. Yem, referred to City Manager. So voted. C. Robinson commented on program in other communities and that City has talent to be involved as well.

12.12. C. Robinson - Req. City Mgr. Have Proper Department Look Into Installing Or Upgrading Lighting In Areas Of 66 Jewett Street, As Well As, 431 Central Street.

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

12.13. C. Robinson - Req. City Mgr. Have Proper Department Provide An Update On Repairs On Dugout Roofs At McPherson Park, As Well As, Progress On Forming A Partnership With YouthBuild Carpentry Students For Similar Projects.

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

12.14. C. Rourke/C. Robinson - Req. City Mgr. Look Into Outreach To Eligible Residents Who Qualify For The Federal Affordable Connectivity Program.

In City Council, no second needed, referred to City Manager. So voted. Registered speaker, Greg Franks, addressed the Council. C. Rourke commented on program and that there should be outreach to community and schools to take advantage of opportunity. C. Robinson noted it improves communication and access to the internet. C. Scott noted ties to the free lunch program in the City. C. Jenness noted information should be distributed to partners. C. Leahy noted prior relationship with Comcast. C. Rourke requested M. Chau bring it before the School Committee. C. Nuon noted there are many citizens who would be eligible for the program.

12.15. C. Rourke/C. Scott - Req. City Mgr. Update Council Regarding Updating Of Crosswalks At All School Bus Stop Locations Within The City.

In City Council, no second needed, referred to City Manager. So voted.



12.16. C. Jenness - Req. City Mgr. Have Proper Department Improve Signage At The Secure Dropbox At The City Hall Plaza Entrance.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Jenness commented that proper identification and instruction should be on drop boxes.

Motion by C. Yem, seconded by C. Rourke to Waive Rule 5. Adopted per Roll Call vote 10 yeas, 1 absent (C. Gitschier). So voted.

12.17. C. Nuon/C. Yem - Req. City Mgr. Have Appropriate Department Update The Council On The Status Of The Use Of Wireless Emergency Alerts (WEA).

In City Council, no second needed, referred to City Manager. So voted. C. Yem noted safety issue.

12.18. C. Nuon/C. Yem - Req. City Mgr. Have The Appropriate Department Quell The Rowdy Parties By The UMass-Lowell Students Around The Varney, Mt. Vernon, Cross And School Streets Area.

In City Council, no second needed, referred to City Manager. So voted. C. Yem noted resident request and that there is a lot of disruption and presented letter to the Manager.

12.19. C. Drinkwater/C. Leahy - Req. City Mgr. Provide An Update Regarding Planned Traffic Calming Measures And Pedestrian Improvements On Andover Street, As Well As, Line Striping Throughout The City.

In City Council, no second needed, referred to City Manager. So voted. Registered speaker, Laura Gilmore, addressed the Council. C. Drinkwater noted prior ideas and commented that area needs improvements and that speeding is still an issue. C. Leahy noted there was a new traffic engineer and new administration which can revisit the areas of concern.

12.20. M. Chau - Req. City Mgr. Have Proper Department Investigate Improvements To The Sidewalks On Prescott Street.

In City Council, seconded by C. Jenness, referred to City Manager. So voted. C. Jenness requested lighting be added to motion. No objections.

12.21. M. Chau - Req. City Mgr. Have Proper Department Investigate Repairs And Improvements To The Public Roadway And Sidewalks On Smith Avenue.

In City Council, seconded by C. Yem, referred to City Manager. So voted. Registered speaker, Johanna Monsalve, addressed the Council. C. Mercier requested street be put on paving list. C. Yem commented on the area. M. Chau described the street.



12.22. M. Chau - Req. City Mgr. Have Proper Department Investigate Repairs And Improvements To The Sidewalk On Central Street, In The Front Of The Dollar Center, Water Leaking Into The Building.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. M. Chau commented on drainage issues. C. Jenness indicated similar issue at 30 Market Street.

12.23. M. Chau - Req. City Mgr. Have Proper Department Investigate The Condition Of All USA Flags Currently Flown Around The City And Replace As Needed.

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

12.24. M. Chau - Req. City Mgr. Have Proper Department Investigate Traffic Calming Measures At The Intersection Of Foster Street And Princeton Boulevard.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. Registered speaker, Ken Zeller, addressed the Council. C. Yem noted area and need to address. C. Rourke noted there needs to be a more efficient method of addressing traffic motions. M. Chau noted need for speakers and solutions.

13. ANNOUNCEMENTS

In City Council, none.

14. ADJOURNMENT

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

Meeting adjourned at 10:10 PM.

Michael Q. Geary, City Clerk