



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: October 25, 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 William “Bill” Kelly.
M. Chau requested moment of silence in darkened for Henry W. Naruszewicz. C.
Mercier commented on life of Mr. Naruszewicz.

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. Rourke, seconded by C. Robinson. So voted.

2.2. Citation - Christine O'Connor (City Solicitor).

In City Council, **Motion** “To accept and place on file” by C. Leahy, seconded by C. Jenness. So voted. M. Chau presented citation and key to the City to Solicitor O'Connor. C. Jenness noted it was the end of an era at City Hall. C. Mercier commented on the time spent by Solicitor on behalf of the City. C. Nuon commented on the amount of institutional knowledge of the Solicitor. C. Leahy noted Solicitor served the City well. Manager Golden, Jr. thanked the Solicitor for her service and effort in



helping the City. Solicitor O'Connor commented that she served City with pleasure and further commented on our shared pasts and the amount of diversity in the City.

Motion by C. Mercier, seconded by C. Gitschier to recognize First Responders Day. So voted. C. Gitschier recognized and thanked first responders and DPW for their efforts. M. Chau noted the efforts by them on behalf of the City. In City Council, **Motion** "To accept and place on file" by C. Leahy, seconded by C. Jenness. So voted.

3. CITY CLERK

3.1. Minutes Of Neighborhoods SC October 17th; City Council Regular Meeting October 18th, For Acceptance.

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

Motion to suspend rules by C. Leahy, seconded by C. Jenness to allow Manager to introduce new department head. So voted. Manager Golden, Jr. recognized Yovani Baez-Rose as the new head of the DPD.

Motion by C. Nuon, seconded by C. Mercier to take Item #8.2 out of order. So voted.

4. COMMUNICATIONS FROM CITY MANAGER

4.1. Motion Responses.

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

A) Motion Response - Marijuana Pre-Employment Screening – C. Robinson noted that this was only applicable for pre-employment purposes and for certain positions. C. Scott noted effect on certain applications and certain positions. Manager Golden, Jr. noted that policy is not applicable to DOT positions and safety positions. C. Jenness noted it was a positive change in procedures and that public should be informed of the change. C. Scott noted the need to change the policy.

B) Motion Response - Utility Rates and Solutions – C. Gitschier questioned existing accounts. Katherine Moses (DPD) outlined the history of the accounts. C. Gitschier commented on accounts established for Lowell High School. Ms. Moses commented on construction of the new high school. C. Gitschier questioned recovery efforts of utility costs. Ms. Moses noted repeated auditing of bills assist with cost recovery and that actual bills are paid and not estimates. C. Gitschier noted his concern with oversight. C. Gitschier commented future savings. Ms. Moses outlined projected savings. C. Gitschier commented on various options of residential savings programs. Ms. Moses outlined the rates and options. C. Gitschier noted the importance of providing information to public. C. Jenness commented on outreach and using different means to inform public. Ms. Moses noted outreach efforts and that they are monitored for success. **Motion** by C. Jenness, seconded by C. Gitschier to refer matter to Technology and Utilities SC. So voted. Manager Golden, Jr. noted resident should



reach out to the City to request any form of assistance. C. Jenness noted information should be provided to new residents in the City. C. Nuon noted the community needs to know of savings and programs available through Mass Savings. C. Robinson commented on need to go into neighborhoods with this information. C. Leahy commented on energy spike this winter season. Ms. Moses noted residents should check to ensure they are part of aggregate program.

C) Motion Response - Legal Notices and Notifications – C. Yem commented on process to receive notifications from City departments and that information was available on the website. C. Gitschier questioned if boards/commissions positions were part of MUNIS tracking and was informed that was the case.

D) Motion Response - Boathouse RFP – C. Gitschier noted that RFP was being developed and would review upon completion.

E) Motion Response - Clemente Park Updates with Attachments – C. Yem noted the many upgrades and short term improvements plan. Ms. Baez-Rose noted there was much community outreach to develop short term solutions and that work would begin at next construction season. C. Nuon recognized DPD efforts and noted his disappointment with the Healing Garden. C. Yem noted there was a volunteer group who could assist with maintenance of the Healing Garden. Ms. Baez-Rose noted community input is always welcomed.

F) Motion Response - VFW Plantings with Attachment – C. Robinson commented on the long term project and that it looks good and recognized the need to secure funding for remainder of work proposed. C. Leahy noted the existence of tree planting programs that would be helpful to goals. C. Yem commented on some programs that would supply free trees for planting.

G) Motion Response - Hovey Park – C. Robinson noted request must be approached differently as it is important to support this park and recommended possible use of signage or other traffic calming measures. C. Leahy noted the need to support the new park that was established with substantial costs.

H) Motion Response - Traffic Calming Program with Attachment – C. Leahy noted report. Elizabeth Oltman (Transportation Engineer) noted requests should be processed through subcommittee to streamline the process and to enable request be responded to in a timely manner. **Motion** by C. Leahy, seconded by C. Mercier to refer matter to Transportation SC. So voted. C. Scott questioned status of pending motions. C. Rourke noted the subcommittee will meet November 8th. C. Jenness noted procedures through subcommittee will be a good process. C. Drinkwater noted funding needs for these requests. Ms. Oltman indicated use of grants is available and that they would be pursued.



4.2. Communication - City Manager Request Out Of State Travel (1) Wastewater.

In City Council, **Motion** to adopt by C. Nuon, seconded by C. Yem. Adopted by Roll Call vote 11 yeas. So voted. C. Jenness questioned number of participants.

5. VOTES FROM THE CITY MANAGER

5.1. Vote – Accept Proposal And Convey 548, 550.1, And 542.1 Chelmsford St. To John G. Maria.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Nuon, seconded by C. Leahy. Adopted per Roll Call vote 11 yeas. So voted. C. Mercier questioned location of property. Manager Golden, Jr. clarified the location.

5.2. Vote - Amend TIF Agreement - 330 Jackson Street, LLC.

In City Council, withdrawn by M. Chau per Manager's request.

5.3. Vote - Transfer \$42,565.80 - Recreation/LPD/DWP.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Nuon, seconded by C. Rourke. Adopted per Roll Call vote 10 yeas, 1 nay (C. Gitschier). So voted. C. Gitschier questioned withdrawing from Manager's Contingency Account. Conor Baldwin (CFO) outlined the account and funding. C. Gitschier questioned funding available for pay class study. Mr. Baldwin commented on funding from contingency account. C. Gitschier commented on budget deficits early in fiscal year and that they should not be adjusted from contingency accounts but from department accounts. Mr. Baldwin outlined the transfer before the Council.

6. REPORTS (SUB/COMMITTEE, IF ANY)

6.1. Economic/Downtown Development SC October 25, 2022.

In City Council, C. Nuon requested report be put over on the November 1st meeting. No objections.

6.2. Wire Inspector Reports:

- 1) Boston Gas D/B/A National Grid - Request Installation Of Gas Main Replacement On Armand, Jean, Christman And Delmont Avenues; As Well As Bernier And Lowell Streets;**
- 2) National Grid - Request Installation Of Electric Vault In Front Of 173 East Merrimack Street; And**
- 3) National Grid - Request Installation Of (1) Handhole And 50 Feet Underground Electric Conduit At Favor And Appleton Streets.**

In City Council, **Motion** to accept and adopt accompanying orders by C. Yem, seconded by C. Nuon. So voted.



7. PETITIONS

7.1. Misc. - Norma Von Fricken Request Permission To Address City Council Regarding Critical Race Theory.

In City Council, Ms. Von Fricken addressed the Council. No action taken or required as petitioner was in violation of Council Rules regarding protocol within the Chamber. Registered speakers, Ann Dean and Johanna Danas, addressed the Council.

C. Gitschier requested five minute recess with no objection at 8:25 PM. Roll Call after recess at 8:30 PM indicated 11 present. M. Chau presiding. C. Scott requested reviewing revision of rules regarding addressing the Council.

8. CITY COUNCIL - MOTIONS

8.1. C. Rourke - Req. City Mgr. Have The Law Department Provide A Report On The Status Of Every Case In Litigation Including Discovery, Appeals And Deadlines; Report Should Also Include Any Case On Behalf Of The City That Is Potentially Headed Towards Litigation And The Statute Of Limitations Deadline For Filing Each Case.

In City Council, seconded by C. Robinson, referred to City Manager. So voted. C. Rourke noted changes in the department and the need to take inventory of cases.

8.2. C. Nuon/C. Rourke - Req. City Mgr. Work With The State Delegation And The MassDOT On Ways And Means To Improve Traffic Safety At The Intersection Of Rogers And Boylston Streets.

In City Council, no second needed, referred to City Manager. So voted. **Motion** by C. Robinson, seconded by C. Gitschier to suspend rules to allow speaker on the motion. So voted. Niton Patel addressed the body and provided a petition dated December 12, 2018. C. Rourke commented on history of the project and prior petition and that there is a need for a different traffic flow. C. Nuon noted change is needed for betterment of the neighborhood and business. C. Robinson commented on the current negative impact in the area. C. Scott noted it was poorly designed. C. Leahy noted design change needed for safety purposes. C. Gitschier commented on difficulty of snow removal in the area. C. Mercier noted the concerns of Mr. Patel. C. Drinkwater noted support of changes. M. Chau noted it was a public safety issue.

8.3. C. Nuon - Req. City Mgr. Provide Update Regarding Status Of The Former Garcia Brogan's Space In The Early Garage.

In City Council, seconded by C. Scott, referred to City Manager. So voted. C. Rourke noted the issue with the space.

8.4. C. Nuon - Req. City Mgr. Review Boards And Commissions To Determine Whether Additional Associate And/Or Alternate Members Should Be Added To



Assist With Quorum Requirements And To Help Foster Greater Public Participation.

In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. C. Nuon commented on prior motion noted the need to create pipeline and diversity.

8.5. C. Scott - Req. City Mgr. Provide A Report Detailing Possible Funding Sources To Move Forward With The Proposed Park And ADA Compliant Playground At O'Donnell Park.

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

8.6. C. Scott/C. Gitschier/C. Robinson - Req. City Mgr. Convene A Summit Including Inviting Other Gateway City Representatives To Discuss Best Practices And Legislative Needs Around Homelessness.

In City Council, no second needed, referred to City Manager. So voted. C. Scott noted the need for a collaborative effort by Gateway Cities. C. Gitschier noted shelter hosts twenty communities and that would be a good starting point and commented on the need for school administration involvement. C. Robinson noted the opportunity and the ability to expand on it. C. Jenness noted it was an all hands on deck approach with everyone moving in the same direction. C. Mercier noted summit would gather ideas to combat the crisis. C. Rourke noted different approach in attacking problem and that many well-funded organizations could assist with solution.

8.7. C. Gitschier - Req. City Mgr. Provide City Council With A List Of Written Trash Fines Handed Out By The City Over The Last Two Years And The Location Of The Violation.

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

8.8. C. Robinson - Req. City Mgr. Have Proper Department Provide A Report To Repurpose And Upgrade Centralville Reservoir While Preserving It As A Passive Park.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Robinson noted area was a hidden jewel that need upgrades and more use.

8.9. C. Robinson - Req. City Mgr. Have The Proper Department Provide An Explanation On The Process Of Overgrowth/Brush Cut Back Schedule As Part Of Public Walkway Maintenance.

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Robinson noted the growth issue and the need for general maintenance for safety purposes.



8.10. C. Robinson - Req. City Mgr. Have The Proper Department Provide An Update On Catch Basin Repair Work On Wachusett Street.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Robinson noted prior administration identified the work and requested an update.

8.11. C. Robinson - Req. City Mgr. Have The Proper Department Provide An Update On Winter Operations Preparedness Including Inventory Of Equipment Ready To Go.

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

8.12. C. Robinson - Req. City Mgr. Provide Update And Timeline Of Citywide Crosswalk Painting.

In City Council, seconded by C. Yem, referred to City Manager. So voted. C. Robinson requested a time frame. C. Leahy questioned materials available. C. Scott noted site work needed to be done by National Grid on Boylston Street. C. Rourke noted artistic work being done with crosswalks.

9. ANNOUNCEMENTS

In City Council, C. Yem presented farewell card to Solicitor O'Connor. Manager Golden, Jr. noted Halloween Hours in the City.

10. ADJOURNMENT

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

Meeting adjourned at 9:02 PM.

Michael Q. Geary, City Clerk