



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: February 27, 2017
Time: 6:30 PM
Location: Mayor's Reception Room
375 Merrimack Street, 2nd Floor, Lowell, MA

SPECIAL MEETING FEBRUARY 27, 2017.

Notice is hereby given, required by Rule 6 of the City of Lowell, City Council Rules, that the Lowell City Council will hold a SPECIAL MEETING in the Mayor's Reception Room on MONDAY, FEBRUARY 27, 2017 at 6:30 PM.

The purpose of which is pursuant to a motion by C. Mercier, seconded by C. Elliott to begin Article 97 proceedings by meeting with State Delegation to review the process.

The public is invited to attend.

Roll Call recorded 9 present. The following members of the State Delegation were present; Sen. Donoghue; Rep. Golden; Rep. Nangle; and Rep. Mom.

Mayor Kennedy presiding. Mayor read notice of the Special Meeting and noted questions to be answered concerning the procedure.

Sen. Donoghue outlined the Article 97 procedure noting it was two-fold action of the City and the State Legislature. Sen. Donoghue noted the votes of the Board of Parks, the City Council and possibly the Conservation Commission and that the City must provide a replica property. Sen. Donoghue noted that the Legislature must act by way of Home Rule Petition to finalize relief from Article 97 and outlined that process through the legislative system. Sen. Donoghue noted that getting the process to begin early by identifying replacement properties would be beneficial. Rep. Nangle noted that the delegation would do what the Council request and facilitate the process at the State level. Sen. Donoghue noted that the City should allow the legislature to make minor technical changes to ease the process. Rep. Golden commented on language changes being done at State level and that they would by minor and would move process along. Rep. Nangle provided information concerning the law regarding Article 97 and



that the Executive Office of Environmental Affairs governs the process with a body that strictly handles Article 97 petitions.

M. Kennedy opened meeting up to City Council. C. Mercier commented on the location of the meeting. C. Mercier noted that the City could probably not satisfy all of the Article 97 requirements especially with Conservation Commission and Board of Parks. C. Mercier commented on replication of fields and also questioned Sen. Donoghue and Manager Murphy regarding receipt of the letter from the State agency. Sen. Donoghue noted that her office responds to constituent requests and that the fact of the matter is that the when the City accepts grant money they accept the restrictions that go along with them. **Motion** by C. Mercier, seconded by C. Elliott to have State agency meet with the body to discuss approaches under Article 97 that would best serve both parties. C. Leahy offered amendment to the motion which was accepted by the maker to have City Manager meet with the State agency to discuss all issues surrounding the matter including possibility of paying back grant money to release the restrictions. Amendment was adopted. So voted. Motion as amended was adopted. So voted. Sen. Donoghue noted that the State agency was willing to meet with the City at any point in time to assist them with the process and further noted that when the City accepts the money then the law dictates release from restrictions. M. Kennedy noted that the meeting was very public and that it was C. Mercier who requested same. C. Belanger noted confidence in the State Delegation and questioned the use of appeal in these petitions. Rep. Golden commented on possibility of appeals with these issues. C. Rourke questioned the vote of the Conservation Commission. Manager Murphy noted that the Conservation Commission would not be involved and commented on votes required on the City side. Manager Murphy noted that current plans depict replica properties which should ease concerns of all boards. C. Rourke noted that the Council has shown support for the Cawley option to move forward by way of votes. C. Milinazzo commented on the vote of the Conservation Commission as well as the needed square footage of replica fields. Rep. Golden noted that the State agency is equipped to handle any issues that may be present. C. Leahy commented on original grant agreement and what State would be looking for. C. Elliott questioned the difficulty of Article 97 petitions. Rep. Golden described them as being routine. C. Elliott commented that meeting with the agency is necessary and that they should keep the MSBA informed. Rep. Nangle noted better approach is to get agency team in City to work on issues. C. Samaras thanked delegation for their input and questioned time frame for completion. Rep. Golden spoke on time process and noted that it is difficult to assess and it is dependent on when the process begins. C. Milinazzo noted the MSBA June submission. Sen. Donoghue noted that was a soft deadline and could be altered without penalty to the City. M. Kennedy noted that the deadline could be moved without penalty to City. C. Elliott noted the importance of moving forward on Home Rule Petition. C. Leahy noted the need to schedule item on Board of Parks agenda. Rep. Mom noted support for actions that the City Council needs to take. Sen. Donoghue noted that the delegation has been



working on getting funding for new Lowell High School for several years. C. Leahy noted the need to schedule meeting with Board of Parks.

M. Kennedy opened meeting up to following registered speakers who addressed the body: Steve Conant; and Dan Shanahan. C. Rourke commented on investigating on whether paying back grant was possible result. C. Milinazzo stressed the need to work together as this moves forward. M. Kennedy noted the meeting was set to ensure all members were on the same page with the project.

ADJOURNMENT

Time for meeting to stand adjourned.

Motion to Adjourn by C. Rourke, seconded by C. Leary. So voted.

Meeting adjourned at 7:35 PM.

Michael Q. Geary, City Clerk