



City of Methuen, Massachusetts

OFFICE OF THE CITY COUNCIL

The Searles Building • 41 Pleasant Street

Methuen, Massachusetts 01844

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CHARTER REVIEW COMMITTEE MINUTES

Thursday, July 02, 2025

6:30 PM

MEETING LOCATION: **Great Hall**
 Methuen City Hall
 41 Pleasant Street, 3rd Floor
 Methuen, MA 01844

1. **Call to order – 6:30 PM**
2. **Roll call – members present – Ian Gosselin, Dennis DiZoglio, Steve Saba, Eleni Varitimos, Jennifer Kannan and City Solicitor Paul O'Neill – absent – Sharon Pollard & John Cummings**
3. **Acceptance of agenda – Motion to accept by Jennifer Kannan, seconded by Eleni Varitimos – unanimously approved.**
4. **Approve minutes of previous meeting May 15, 2025 Regular meeting – Motion to accept by Ian Gosselin, seconded by Jennifer Kannan – unanimously approved – May 15, 2025 Public Hearing – Motion to accept by Jennifer Kannan, seconded by Ian Gosselin – unanimously approved - June 11th meeting – Motion to accept by Jennifer Kannan, seconded by Dennis DiZoglio – 3 yes, 2 abstentions (Eleni Varitimos & Ian Gosselin)**
5. **Public Participation - none**
6. **Review additional comments and answers provided by the Collins Center – Discussion –** Steve Saba said, “We received the notes sent by the Collins Center. In the interest of time, we have three sets of notes from the Collins Center. We have the original ones that Anthony answered questions on, and then we have the next set of questions that he said he would get us information, and he got it back to us later. And then also I sent him a few other questions, and we got those answers. So instead of going through them now, does it make sense for us as we get to them in the Charter to go and look at the answers and kind of review it at that time?” The CRC members agreed. Steve Saba said, “And we're now going to begin reviewing Chapter 3.” Jennifer Kannan said, “I do have a quick question. Committee members, I have a paper that I had Lisa just disperse. The city attorney has not looked it over. It basically just talks a little bit more clarification language, the first two sentences here, about the role of the City Solicitor. The first two sentences talk a little bit more clarifying for the City Solicitor. The next thing that is on there is called the Department of Law. In the recent, I'm going to say couple of years, in my opinion, I just thought it got very difficult for a couple of Councils to understand the process of the Department of Law and what the function is. Since the original Charter was done back in the 1970s, regarding now having one City Solicitor, we have an additional City Solicitor, possibly a third City Solicitor, maybe even let's just call, right now we have Carmen who is the Law Department's Executive Assistant, but down the road maybe ten years from now they might want to add a paralegal. Rather than there being a nine-person body sitting there and bouncing this off everybody, while I was watching the meetings and then Paul and the current City Solicitor had put together an ordinance. And it was called an ordinance

further clarifying the purpose and authority of the City Solicitor and the Law Department. So again, as you know, I'm a proponent of making sure things get done right at this level. I saw that and I said this is great. Although some of this should be in the Charter, in my opinion. And it's only my opinion. Again, I don't know if Steve has this and they can send the original one. And the current City Council tabled this ordinance. The Council discussed this matter extensively. My point is, I kind of reduced it a little and thought what a great idea to put in our governing body, the Constitution of the City, a little bit more descriptive language on what the Department of Law is. So, like I said, maybe three years from now, five years from now, they might want to add two positions. It doesn't have to be a push and a shove between the Mayor's office and the City Council. The Department of Law is the Department of Law. That's it. We don't need anyone arguing who has control here. The city of Methuen has for 30 years; it has been with the City Council. If it's going to remain with the city council, let's once and for all define what this department does. And that way, if they want to make some changes, as Paul can say, if they want to do some ordinances here and there, they can. But it will never supersede this charter." Jennifer passed around copies of the language she wants to amend in Article 2 Section 8 (c). Jennifer Kannan continued, "What I'll do is I will pass it around and leave that for the end. Like when Sharon's here, I think she'll have an opinion on that, and I'd love to hear it. But I think at the end of the day, watching the City Council meetings, because I'm a faithful watcher, knowing that we have a new city attorney here. I think the onus is on us to clarify the best we can and put it in the Charter. It will go in front of the city council. The mayor will see it. But at least I wouldn't feel comfortable passing this unless I did my due diligence and just clarify the language. OK, so I'm going to leave it at that." Dennis DiZoglio said, "Well, I just wanted to clarify. You just mentioned, Paul, I want to make sure that Paul has an opportunity to review that and make suggestions. Ultimately, when it comes back to us, I'd love to hear your comments and your suggestions." Solicitor O'Neill said, "I just would say, too, that the ordinance that she looked at that is before the City Council, it's essentially the same ordinance that currently exists. It just adds a few clarifications in three or four spots. So, although it's a redraft, it's essentially the entire ordinance just redrafted because it's often easier when you're making multiple changes to do that. But it's essentially the ordinance that's there." Jennifer Kannan said, "I brought a copy for us just to review because eventually when we get down to the final reading, I would love to see some of this language included. I want Paul to review it and get it into the Charter once and for all."

Section 2-2. Organization.

After the Councilors elect have been sworn, the City Council shall be called together by the member with the total lifetime seniority serving on the Methuen City Council. **If there are two (2) members with equal seniority**, then the oldest member shall preside. The City Council shall then elect, from among its members, a **President and Vice President** to serve at the pleasure of the City Council for a one-year term. This change does not preclude the **President or Vice President** from serving consecutive terms as **President and Vice President**. The **President** shall preside at all meetings of the City Council and perform such other functions as may be assigned by the Charter, by ordinance, **including serving as Acting Mayor, if necessary**, or by vote of the City Council. The **Vice President** shall act as **President** of the Council during the absence or disability of the **President**. (Elimination of appointed Councilor on School Committee approved by voters November 3rd, 1981; see Resolution #758). **Motion to amend by Jennifer Kannan, seconded by Ian Gosselin – unanimously approved.**

Section 3-1 (a)

(a) Mayor; Qualifications – The Chief Executive Officer of the City shall be a Mayor, elected by and from the qualified voters of the City. Any voter domiciled in the City shall be eligible to hold the office of Mayor. The Mayor shall devote their full time to the office and shall not hold any other public office, elective or appointive, and shall file written disclosure to the City Clerk ~~in~~ **of** any other business activity whether or not such business activity is pursued for gain, profit or other pecuniary advantage, during their term.

(b) – no changes

(c) – no changes

Article 3-2 (a) – Motion to amend by Steve Saba, seconded by Dennis DiZoglio – 4 yes, 1 no (Jennifer Kannan)

(a) The Mayor shall supervise and direct the administration of all departments, commissions, boards and offices, except the City Council, the School Committee, the City Solicitor **and their staff**, and the Clerk and Assistant Clerk of the Council.

(b) No changes

(c) No changes

(d) No changes

(e) No changes

(f) No changes

(g) No changes

(h) No changes

(i) Except as provided in Articles 6 and 7 of this Charter, the Mayor shall negotiate and may execute contracts involving any subject within their jurisdiction of the office of the Mayor. All contracts shall be awarded by the Mayor, however, ~~only~~ contracts above the bid threshold under MGL Chapter 30 B, shall meet with approval, by vote, of the majority of the City Council. ~~Any contract that is exempt by MGL Chapter 30 B threshold shall require approval by a majority vote of the City Council.~~ Motion by Ian Gosselin, seconded by Eleni Varitimos to strike the word 'only' in the second sentence and strike the third sentence of Article 3-2 (i) – unanimously approved.

(j) No changes

(k) No changes

(l) No changes

(m) No changes

Article 3-3 (a) Except as otherwise provided by this Charter, the Mayor shall appoint, upon merit and fitness alone, and may remove subject to the provisions of the civil service laws, the provisions of this Charter, or other pertinent statutes where applicable, all officers and employees of the City, except employees of the School Department. All appointments of Department Heads, Assistant Department Heads, Division Heads, Police Superior Officers of the rank of Sergeant and above, Fire Department Superior Officers of the rank of Lieutenant and above, the Conservation Commission Agent, and all Boards and Commissions shall be subject to confirmation by 5 votes of the City Council. The Mayor shall submit, in writing, to the City Council, at least ten days prior to the next regular meeting when the appointment is to be made, the name of any person he desires to appoint to a City position. (Approved by the voters November 5th, 1996; see Resolution #3745 and Chapter 148 of the Acts and Resolves of 1996).

Add Article 3-3 (b) – When the term of a member of a board or commission expires, the Mayor must appoint, within 180 calendar days of the expiration of the term, the City Council must, by a majority of 5 votes, approve the appointment. If a member has served for more than 10 years, their reappointment must be approved by a minimum of 6 votes of the full City Council. If not reappointed after 180 days, the board or commission member must vacate their seat immediately. Motion to

amend Article 3-3 by adding subsection (b) by Steve Saba, seconded by Ian Gosselin – Discussion

Chair Saba recognized Dennis DiZoglio, "I know we're going to take a vote. I just want to explain my vote. I'm not going to be in favor of it because I lived through it being threatened that you had to put it up and they were all going to vote it down. And it was being used as a tool. And I just can't forget how it was used. And so, I'm going to vote no on the amendment or the request. I understand the logic. I like seeing fresh faces. We had the talent bank. I used to interview people all the time, always looking for new people. We brought some really exciting people on board. We talked about Matt. Matt was through that process. So I liked the idea, but at the same time, I don't want it to be used as a tool to get at people who just are doing their job. I had the whole Conservation Commission had to be brought up

before the Council because Matt Chiara thought that they were unfair to him. And so, the Council decided to hold a tribunal on the Conservation Commission. I had to have them all come up here. And I had people, lawyers. I had environmental scientists and accountants. They all had background. They all had education. And after the Council heard it, fortunately, they rejected Matt's claim that they were all biased. But at the same time, I don't want people to use them because they have to make some hard, hard decisions. I don't want them to be gun shy because they think that they're going to be punished. Thank you.” – **4 yes, 1 no (Dennis DiZoglio)**

Section 3-4 – no changes

Section 3-5

(a) Communications to the City Council - Within six weeks following the start of each fiscal year, the Mayor shall submit to City Council, and make available for public distribution, a complete report on the financial and administrative activities and status of the City for the preceding fiscal year. ~~He~~ **The Mayor** shall from time to time, and, whenever requested by the City Council, by written communication, keep the City Council fully informed of the financial condition and administrative issues of the City and shall recommend to them such measures for their consideration as, in their judgment, the needs of the City require.

Section 3-6 – No changes

Section 3-7. Temporary Absence of Mayor.

(a) Acting Mayor - Whenever, by reason of sickness, absence from the City or other unexpected cause, ~~or the Mayor shall be unable to perform the duties of their office for a period of three (3) successive working for~~ **seven (7) consecutive calendar days or more**, ~~the City Council shall appoint from among its members an~~ Acting Mayor, per Section 2-2, ~~to~~ **will** serve in the Mayor's absence. **At any time, if the Mayor is incapacitated, mentally or physically, and unable to fulfill the duties of their office, the Acting Mayor will serve immediately in the Mayor's absence and until they're able to return.**

(b) Powers of an Acting Mayor - The Acting Mayor shall have all the powers of the Mayor except that the Mayor shall not make any permanent appointment or removal to or from any office, board or commission, unless the disability of the Mayor shall have continued for sixty (60) days or more without having resigned, nor shall he approve or disapprove of any measure passed by the City Council unless the time within the Mayor must act would expire before the return of the Mayor.

Section 3-8

(c) **The filling of an unexpired term, whether by appointment or election, shall not preclude a candidate for Mayor from serving for three (3) consecutive two (2) year terms.** **Motion to amend adding (c) language by Jennifer Kannan, seconded by Dennis DiZoglio – unanimously approved – also, change section (c) to section (d) Powers: Term of Office**

Article 3-9 – No changes

7. Confirm the next meeting date and time – Tuesday, July 22, 2025 at 6:30 PM in Great Hall.

8. Adjourn – 8:40 PM