



Lowell City Council

Housing SC Meeting Minutes

Michael Q. Geary
City Clerk

Date: April 30, 2019 (Cont. below May 28, 2019; July 23, 2019)
Time: 5:30 PM
Location: City Council Chamber
375 Merrimack Street, 2nd Floor, Lowell, MA

PRESENT:

Present on Roll Call were Chairman Milinazzo, C. Elliot, and C. Mercier. Also present were C. Conway, Eric Slagle (Inspectional Services) and C. Nuon.

MEETING CALLED TO ORDER:

Chairman Milinazzo called the meeting to order in the Council Chamber and opened discussion regarding vote adopting the Community Preservation Act (CPA).

ORDER OF BUSINESS:

C. Milinazzo noted Lowell was only city in the area that had not adopted the CPA and referenced comments of Register of Deeds Richard Howe regarding availability of funds. C. Mercier commented on property being developed in Dracut with the use of CPA funds. Mr. Slagle commented on process and projects used by CPA funds and noted that local community must be surcharged (1% to 3%) on property to be part of the program. Mr. Slagle noted funds are kept in a Preservation Trust Fund and an established committee is organized to earmark projects for the funding. Mr. Slagle noted that there must be a vote with public hearing to refer to a referendum question to be on ballot. Mr. Slagle noted that there are exemptions available to surpass any surcharge on local properties. C. Milinazzo noted funds can be used for a variety of reasons and that a committee must be established. C. Mercier commented on the percentage amount and how funding from program is done. C. Milinazzo commented on procedures used to obtain exemptions. C. Elliott noted any exemptions would be on ballot question as well. C. Conway questioned timing of the ballot question. C. Nuon noted the amount of money not being used by the City from these funds. C. Elliott noted concern of surcharge on tax bill especially during this economic time in the City but supports ballot procedure on this issue. C. Elliott noted commitment needed once CPA is adopted by the City. C. Milinazzo questioned when fund would be available once CPA is adopted. **Motion** by C. Elliott, seconded by C. Mercier to request administration gather information regarding possible



projects from CPA funds that are part of recent Capital Plan. Adopted per Roll Call vote, 3 yeas. So voted.

RECESS:

Motion to RECESS by C. Mercier, seconded by C. Elliott. So Voted.

Meeting recessed at 6:10 PM

Michael Geary, City Clerk

CONTINUED: May 28, 2019 (5:30 PM)

PRESENT:

Present on Roll Call were Chairman Milinazzo, 2 absent (C. Elliott, C. Mercier). C. Milinazzo noted that meeting would be rescheduled as there was a lack of a quorum.

CONTINUED: July 23, 2019 (5:30 PM)

PRESENT:

Present on Roll Call were Chairman Milinazzo, C. Elliot, and C. Mercier. Also present were Atty. Gary Gordon (Asst. City Solicitor), Eric Slagle (Inspectional Services) and C. Nuon.

MEETING CALLED TO ORDER:

Chairman Milinazzo called the meeting to order in the Council Chamber and opened discussion regarding vote adopting the Community Preservation Act (CPA).

ORDER OF BUSINESS:

Mr. Slagle provided update and review regarding CPA implementation and process. Mr. Slagle commented on amount collected over the years as part of CPA noting that there must be Council vote to place matter on binding referendum which should include percentage that will be used as well as any exemptions which may be available. C. Milinazzo noted State funding of the trust so it may be an advantageous time to be part of the program. Mr. Slagle noted that a public hearing regarding vote to place on referendum should be conducted. C. Mercier noted it was a binding referendum and that fees from Registry of Deeds are used as part of funding the trust. C. Milinazzo noted the amount of projects that are eligible for funding from the CPA trust. C. Milinazzo opened meeting up to public: James Wilde and Colin Shanley addressed the body in support of the CPA. C. Elliott questioned matching funds available. Mr. Slagle noted that once program is accepted it must be implemented for five years and it can be amended



through the same process. **Motion** by C. Mercier, seconded by C. Elliott to have Law Department draft proper vote (for August 13th CC meeting) for placing on referendum acceptance of the Community Preservation Act approving a 1% surcharge assessed on real property annually beginning fiscal year 2020 and to exempt from surcharge following: low income/moderate income senior housing; Class three commercial/Class four industrial property; and \$100,000 of assessed value Class one, residential. Adopted per Roll Call vote, 3 years. So voted. C. Elliott noted that there would be public hearing and a ballot question for the citizens to have input and decision on the selection and that information regarding program should be made available to them as well.

C. Milinazzo introduced item concerning zoning issues at the Edge Apartments. Mr. Slagle noted that all violations have been corrected by the entity and that there have been meetings with them and their representatives. Mr. Slagle noted a violation notice was sent to entity concerning non-students living in the complex. Atty. Gordon noted that entity raised issue of fair housing standards regarding that zoning violation and so there is a dispute over it that needs resolution. C. Elliott noted he believes there is a zoning violation and citation and fines are appropriate. Mr. Slagle commented on process for fining entities. C. Milinazzo questioned number of police calls to the unit. Mr. Slagle noted LPD will be updating the report. **Motion** by C. Elliott, seconded by C. Mercier for LPD to provide a report of the number of calls to complex and provide a comparison to other similar complexes in the City. Adopter per Roll Call vote, 3 years. So voted. C. Elliott noted that resources were being drained and that it is not a college environment at the facility.

ADJOURN:

Motion to ADJOURN by C. Mercier, seconded by C. Elliott. So Voted.

Meeting recessed at 6:16 PM

Michael Geary, City Clerk