

Order # 970

TD-21-17

**AN ORDINANCE TO CREATE CRITERIA FOR ESTABLISHING MEMORIALS
ON PUBLIC PROPERTY IN THE CITY OF METHUEN**
Sponsored by Chairman Saba, Vice-Chair Beauregard, Councilors Simard & Dizoglio

WHEREAS, the City of Methuen has a proud and rich history of its citizenry serving in the military and as first responders since the City's founding; and

WHEREAS, the City's positive reputation for military service includes, among other distinctions, being the founding point of the United States Army Rangers, one of our nation's most elite military units; and

WHEREAS, military service members from the City have fought in numerous wars in the nation's history, and Methuen service members have sacrificed their lives, often at a very young age, in overseas wars, as evidenced by the "Wall of Honor" in City Hall that memorializes those courageous service members who paid the ultimate sacrifice; and

WHEREAS, police officers and fire fighters in the City are routinely called upon to risk their lives in service to their families, friends, and neighbors in Methuen, and in the City's history, police officers and fire fighters have paid the ultimate sacrifice in the City's service; and

WHEREAS, residents of Methuen have likewise paid the ultimate sacrifice as victims of crime and tragic accidents, and the pain of such loss reverberates throughout the City; and

WHEREAS, residents of Methuen continue to mourn the loss of life from acts of terrorism, such as the attacks on September 11, 2001, and the Boston Marathon bombing; and

WHEREAS, throughout Methuen's history, the City has hosted ceremonies and placed memorials on public property to commemorate those who have paid the ultimate sacrifice; and

WHEREAS, the City wishes to establish standards governing the consideration and approval of requests for memorials, in a manner that maximizes public recognition of the persons honored.

NOW, THEREFORE, based upon the foregoing, there is hereby established a new Ordinance in the City, codified as Chapter 18A, entitled "Memorials," which establishes criteria for the review and approval of requests for memorials on public property. This Ordinance shall take effect upon passage following Council approval of a second read; and a certified copy of this Ordinance shall be filed forthwith in the Office of the Mayor, the City Clerk, and the Clerk of the City Council.

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CITY CLERK'S OFFICE
METHUEN, MA
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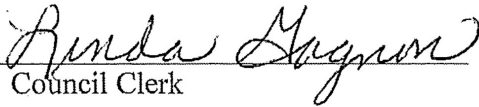
CHAPTER 18A – MEMORIALS

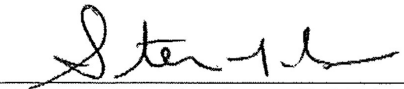
1. Within thirty (30) days of the date of passage of this Ordinance, the Chair of the City Council shall appoint four (4) members of the City Council to a newly created Public Memorial Committee, which shall be responsible for recommending standards for evaluating requests for memorials on public property in the City of Methuen. The City Council Chair shall recommend one of these four appointees as Chair of the Public Memorial Committee; however, the Committee will elect a Chair at its first meeting, in accordance with Section VIII of the Rules of the City Council. The City Council Chair shall likewise serve as a fifth member of the Committee in order to break any ties regarding any votes taken by the Public Memorial Committee.
2. The Council Chair's appointment of the Public Memorial Committee shall be subject to the review and approval of the City Council, in accordance with the rules of the City Council. Once approved, the Public Memorial Committee shall consist of the following persons as *ex officio* members: (i) the Mayor or the Mayor's designee; (ii) the City's Veterans Services Officer; and (iii) the Director of Community Development, or the Director's designee.
3. Within thirty (30) days of the date of the City Council's approval of the formation of the Public Memorial Committee, the Public Memorial Committee shall convene its first meeting, in accordance with the Open Meeting Law, to discuss prospective standards for review of requests for memorials on public property in the City of Methuen.
4. Within thirty (30) days following the date of adjournment of the first meeting of the Public Memorial Committee, the Public Memorial Committee shall convene its second meeting. The second meeting shall include, but not be limited to, a public forum during which members of the public are permitted to speak regarding the establishment of standards for evaluating requests for memorials. The online agenda for the second meeting of the Public Memorial Committee shall include a hyperlink that allows the public to furnish written input online to the Public Memorial Committee on standards for memorials; and at this second meeting, the Public Memorial Committee shall likewise review and discuss any and all written input furnished by members of the public.
5. Within thirty (30) days of the date of adjournment of the second meeting of the Public Memorial Committee, the Public Memorial Committee shall convene its third meeting. During this third meeting, the Committee shall deliberate on recommended standards for evaluating requests for memorials. The Committee shall likewise assign one of its members the task of drafting proposed standards for evaluating memorial requests.
6. Within thirty (30) days of the date of adjournment of the third meeting of the Public Memorial Committee, the Public Memorial Committee shall convene its fourth meeting. At this meeting, a written draft of standards on evaluating memorial requests shall be distributed and discussed. The Committee shall likewise vote to approve recommending standards for evaluating memorial standards to the City Council; and, following the vote at this fourth meeting of the Public Memorial Committee, those evaluation standards shall be submitted to the Clerk of the City Council within one business day of the date of adjournment of the Committee meeting; and the Clerk of the City Council shall submit those standards for review on the agenda of the City Council for the City Council's next regularly scheduled meeting.

7. The standards for evaluation of public memorials, deliberated by the Public Memorial Committee and submitted to the City Council, shall include, but not be limited to, the following two provisions: (i) any and all memorials erected on public property in the City of Methuen shall not contain the names or offices of any elected or appointed official who was involved in the review, approval, construction, or establishment of such memorials; and (ii) for all memorials in existence as of the date on which the City Council approves the Council Chair's appointment of the members of the Public Memorial Committee, the Public Memorial Committee shall take an inventory of all such pre-existing memorials and develop a feasibility analysis regarding the length of time deemed reasonably necessary to amend such memorials to remove references to the names and offices of elected and appointed officials involved in the review, approval, construction, or establishment of such memorials.
8. When the City Council deliberates on the standards for evaluating memorials, as proposed by the Public Memorial Committee as set forth in this ordinance, those standards shall be deemed advisory, with the sole exception of the two standards noted in Section 7 above, which shall be deemed mandatory. Subject to this Section, nothing herein shall be deemed to preclude the City Council from voting on an amendment to the Public Memorial Committee's proposed standards.
9. Within seven (7) business days of the date of the City Council's vote on proposed standards for evaluating requests for memorials, the City of Methuen shall post such standards on the City's web site, on the City's bulletin board by the entrance to the "Tunnel" at City Hall, and outside the door to the office of the City's Director of Veterans Services.
10. The standards for evaluating and approving memorials, after City Council passage and assent of the Mayor, shall likewise be incorporated into an amendment to this Ordinance that will inform readers of the criteria for establishing memorials on public property in the City of Methuen.
11. The Public Memorial Committee shall continue to meet on an ongoing basis to review and consider updates or changes to the standards for evaluating memorial requests.
12. The Public Memorial Committee shall be subject to annual reappointment in January of each calendar year.
13. Nothing herein shall be construed to eliminate, amend, narrow or enlarge any provision of the Methuen Home Rule Charter.

First Read: October 4, 2021
Adopted: October 18, 2021
Effective: November 17, 2021

I do hereby certify that at a meeting of which a quorum was present, the foregoing ordinance was adopted by a unanimous vote on October 18, 2021.


Council Clerk


Steve Saba, City Council Chairman

Approved under MHRC Sec. 3-6
Date: _____

Approved:  11/9/2021
Neil Perry, Mayor