

April 29, 2025

Malden City Council  
City of Malden, Massachusetts  
215 Pleasant Street  
Malden, MA 02148

To: Malden City Council,  
Ryan O'Malley, President

Re: Proposed Changes to the Malden City Charter and Related Ordinances

Dear President O'Malley and City Council Members,

This letter covers two broad subjects:

- The content of the proposed changes to the City Charter and City Ordinances.
- The process by which citizen input is being solicited.

### **Proposed Charter Changes and Related Ordinances**

Friends of Fellsmere Heights urges the City Council to modify the current proposed deletion of entire sections of the City Charter and the creation of organizations only in City Ordinances. Specifically, we recommend:

- Leaving the existence of certain organizations in the Charter, with details in the Ordinances.
- Updating or adding organization names in the Charter with details in the Ordinances: for example, changing the Traffic Commission to the Transportation Commission in the Charter, and removing details that should be in the Ordinances.
- Retaining or including in the Charter important historical information such as the dates when a Commission or Department was first chartered or its purpose updated.

Such changes will serve important functions:

- The Charter will preserve the existence of the named parts of Malden's governance, which could otherwise be legislated away by a future City Council vote.
- Authorizations given to Malden by the legislature will be retained.
- The history of Malden's civic identity, of which we are all justly proud, will be preserved in our central civic document.

In our opinion, a Home Rule petition that retains the basic structure of governance in this way will be more likely to win the approval of the Commonwealth's Legislature.

With regard to the City's authority and responsibilities, matters such as adding parking meters in off-street lots, creating senior citizen safety zones, or obtaining the

use of holdings and revenue of the stadium and athletic field commission, which are in the Charter, are not in the proposed ordinances. While these and other missing City responsibilities may be addressed after the Charter changes are made and the new Ordinances are lived in, there is no way to be sure this will be done in a timely manner. As it is, a careful legal review of the proposed changes to the Ordinances, compared to the Charter, is needed to ensure that there are no lapses in the City's authority and responsibilities.

### **Citizen Input Process for Proposed Charter and Ordinance Changes**

The Friends of Fellsmere Heights takes issue with the process used by City for public review of the proposed changes to the City Charter and the related changes to the City Ordinances.

The proposed Home Rule petition states that the City has "...received freely expressed input from the public by way of public meetings, various forums and from working groups..." But the Public Hearing of August 29<sup>th</sup>, 2025 is the only meeting called for this purpose. While the meetings of both the Rules and Ordinances committee and the City Council are public, they do not provide a venue for "freely expressed public opinion" and are neither forums nor working groups.

By contrast, Malden's Open Space Plan process used surveys, public events, and a raffle to ensure public input, while this reorganization of City government is receiving a single public hearing as part of a City Council meeting. While matters such as open space and public art may be of more obvious public interest, we believe that the supposedly mundane details of traffic design, road maintenance, and park upkeep are of at least equal importance to residents' quality of life - and deserve equivalent concern for public input.

Accordingly, we urge the Council to proceed carefully before ordaining the proposed Ordinances or submitting the proposed Home Rule petition to the Legislature.

With respect,

Friends of Fellsmere Heights Board