



City Council

CITY OF BROCKTON

CITY HALL

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COMMITTEE ON ORDINANCES AND RULES MINUTES – SEPTEMBER 12, 2016

The Standing Committee on Ordinances and Rules was called to order at 6:35 p.m. by Councilor Monahan with Councilors Asack, Eaniri and Studenski present and Councilor Sullivan absent.

Councilor Eaniri moved to take the following matters out of order and to postpone the matters and the scheduled public hearings until the next Committee Meeting:

12. An Ordinance amending Chapter 27 of the Revised Ordinance of the City of Brockton: Be it ordained by the City Council of the City of Brockton as follows: Chapter 27. Zoning, is hereby amended by adding the following: Article XVII Wireless Communications Regulations.
13. An Ordinance amending Chapter 27 of the Revised Ordinance of the City of Brockton: Be it ordained by the City Council of the City of Brockton as follows: Chapter 27. Zoning, Sec. 27-4 Designation of Zones

Councilor Asack seconded the motion and the motion carried.

The Committee next considered the following:

1. An Ordinance Amending Chapter XIX of the Revised Ordinances of the City of Brockton: Chapter 19. Police Department. is hereby amended by adding the following new Article III: Trust Act, the purpose of which is to increase public confidence in the City of Brockton and its Police Department and to encourage members of the community to work in partnership with the police.

The following City Officials spoke on the matter:

Councilor Moises Rodrigues spoke in favor;

Councilor Shayna Barnes spoke on the matter and urged caution and requested that the matter be postponed until the next Committee Meeting;

Councilor Winthrop Farwell spoke on the matter and expressed concern about the effect of the proposed Ordinance and his concern in voting for such a matter given his background in public safety.

Councilor Anne Beaugard spoke on the matter and urged collaboration on the issue.

2.

School Committee Vice Chair Thomas Minichello spoke on the matter, referenced the School Budget, and urged caution given a potential burden on the Brockton Public Schools.

Councilor Eaniri spoke on the matter and recommended further work on the issue and moved to postpone the matter until a committee meeting to be scheduled in October or November.

Councilor Asack seconded the motion and spoke on the matter and the need for all to work together.

Councilor Eaniri moved to take the following matters collectively:

2. Order: That Chapter 40U of the Massachusetts General Laws be and hereby is accepted by the City of Brockton in accordance with G.L. c. 40U, Section 2.
3. An Ordinance Amending Revised Ordinances of the City of Brockton, Ch. 5.5 and accepting M. G. L., Chapter 40U in its entirety

Assistant City Solicitor Aileen Bartlett appeared and spoke on both matters and answered questions from the Committee. Councilor Eaniri moved to recommend both matters favorably and Councilor Studenski seconded the motion. The motion carried.

A public hearing had been scheduled and was opened by the Chairman on the following:

4. An Ordinance amending Chapter 27 of the Revised Ordinances of the City of Brockton; Be it Ordained by the City Council as follows: Chapter 27 of the Revised Ordinances is hereby amended by amending the Zoning District Map of the vicinity on the southerly side of Belmont Street. Said proposed change to be from C-1 Neighborhood Commercial Zone to C-2 General Commercial Zone.

Attorney James Burke, Pearl Street, Brockton, MA, appeared on the matter together with Chris Mihos and spoke in favor of the proposed zoning change.

Councilor Eaniri, sponsor of the matter, spoke in favor of the proposed zoning change.

Rob May, Director of Planning, spoke in favor of the proposed change and reported that the Planning Board considered the matter and recommended it favorably.

No one spoke in opposition to the proposed zoning change.

Councilor Eaniri moved to recommend the matter favorably and Councilor Studenski seconded the motion. The motion carried.

The Committee next considered the following:

5. An Ordinance Amending Ch. II of the Revised Ordinances of the City of Brockton. Be it Ordained by the City Council of the City of Brockton as follows: Ch. 2, Administration, Art. VI. Boards, Commissions, Etc., Division 9. Brockton Commission on Women's Issues, Sec. 2-530. Membership and Appointment.

Councilor Shayna Barnes, sponsor of the matter, spoke in favor of the matter.

Councilor Eaniri moved to recommend the matter favorably and Councilor Asack seconded the motion. The motion carried.

3.

The Committee next considered the following:

6. An Ordinance Amending Ch. XIV of the Revised Ordinances of the City of Brockton. Be it ordained by the City Council of the City of Brockton as follows:

Chapter 14 is hereby amended by adding the following new section: Sec. 14-17.6 Fireworks.

Councilor Shayna Barnes, sponsor of the matter, spoke in favor of the matter.

Officer Healy answered questions from the Committee.

Councilor Asack moved to postpone the matter until the next committee meeting and Councilor Eaniri seconded the motion. The motion carried.

The Committee next considered the following:

7. An Ordinance Amending Chapter II of the Revised Ordinances of the City of Brockton by Amending Division II, the Employee Classification Plan.

Councilors Beauregard and Farwell spoke in favor of the matter.

Councilor Asack spoke in favor of the matter and moved to recommend the matter favorably. Councilor Studenski seconded the motion and the motion carried.

The committee next considered the following:

8. An Ordinance Amending Chapter 20 Streets and Sidewalks of the Revised Ordinances of the City of Brockton enacting a Complete Streets Ordinance.

Rob May, Director of Planning, spoke in favor of the proposed change and reported that the Planning Board considered the matter and recommended it favorably.

Councilor Beauregard spoke in favor of the proposed zoning change.

No one spoke in opposition.

Councilor Asack moved to recommend the matter favorably and Councilor Studenski seconded the motion. The motion carried.

The Committee next considered the following:

9. An Ordinance Amending Chapter 4, the Revised Ordinances of the City of Brockton to comply with the Massachusetts Green Communities Act: Be it Ordained by the City of Brockton as

follows: Ch. 4 Buildings, is hereby amended by adding the following new article: Article V-Stretch Energy Code.

Rob May, Director of Planning, spoke in favor of the proposed change and reported that the Planning Board considered the matter and recommended it favorably.

Councilor Beauregard spoke in favor.

No one spoke in opposition.

Councilor Eaniri moved to recommend the matter favorably and Councilor Asack seconded the motion. The motion carried.

A public hearing had been scheduled and was opened by the Chairman on the following:

10. An Ordinance Amending Appendix C- Zoning of the Revised Ordinances of the City of Brockton to comply with the Massachusetts Green Communities Act: Be it Ordained by the City Council of the City of Brockton as follows: Chapter 27, Articles XIII, Definitions, Sec. 27-61, Generally, is hereby amended.

Rob May, Director of Planning, spoke in favor of the proposed change and reported that the Planning Board considered the matter and recommended it favorably.

Councilor Beauregard spoke in favor of the proposed zoning change.

No one spoke in opposition to the proposed zoning change.

Councilor Eaniri moved to recommend the matter favorably and Councilor Asack seconded the motion. The motion carried.

A public hearing had been scheduled and was opened by the Chairman on the following:

11. An Ordinance amending Chapter 27 Article 2 Zones and Zoning Map and Article 16 Downtown Brockton Smart Growth Overlay District of the Revised Ordinance of the City of Brockton: Be it ordained by the City Council of the City of Brockton as follows: Article 2 Zones and Zoning Map.

Rob May, Director of Planning, spoke in favor of the proposed change and reported that the Planning Board considered the matter and recommended it favorably.

Councilor Beauregard spoke in favor of the proposed zoning change.

No one spoke in opposition to the proposed zoning change.

Councilor Eaniri moved to recommend the matter favorably and Councilor Asack seconded the motion. The motion carried.

The Committee meeting was adjourned at 8:15 p.m.



Anthony J. Zeoli, City Clerk