

MINUTES – ORDINANCE COMMITTEE
March 5, 2020

The Standing Committee on Ordinances and Rules was called to order at 6:12 p.m. by Councilor Cruise with Councilors Cruise, Monahan, Eaniri, Rodrigues and Thompson present.

Agenda read into the record.

The Committee first considered the following:

1. Ordinance: An Ordinance Amending Ch. 23, Division II, Rates and Charges, Schedule B of the Revised Ordinances of the City of Brockton Be it Ordained by the City Council of the City of Brockton as follows: that Schedule B, so called “Sewer Charges and Fees” of Article III, “Sewer and Sewage Disposal”, Chapter 23, Division II, “Rates and Charges”; of the Revised Ordinances of the City of Brockton be amended (Postponed from Ordinance Committee meeting of February 19, 2020)

Comments by Councilor Cruise

(re expanded analysis by Troy Clarkson, no change to first block rate, questions re these users)

Comments by Troy Clarkson, CFO

(re spreadsheet, re 15% at \$6, equity in blocks was an academic exercise, no requirement that it be this way, discretion to the city council)

Comments by Councilor Thompson

(re equity in block rates, comparison of amount charged and usage amount, equity discussion re usage, comments re change to block rate 2, percentage in rate increase)

Comments by Councilor Cruise

(two questions, which rate and which fee)

Comments by Larry Rowley, DPW Commissioner

(re block 2 options)

Motion by Councilor Rodrigues to amend Block 2 to read “6.20” for Rate Effective figure, to amend Block 3 to read “7.60” for Rate Effective figure, to amend Block 4 to read “8.60” for Rate Effective figure, to amend Block 5 to read “8.40” for Rate Effective

figure, to amend Block 6 to read "9.00" for Rate Effective figure, 2nd by Councilor Monahan.

Motion withdrawn for discussion.

Comments by Councilor Cruise

(re proposal higher in some categories from proposal, re why were 3,4,5 in proposal the same)

Comments by Councilor Rodrigues

(2 and 3 would go down from the proposal)

Comments by Councilor Thompson

(last time discussed that larger burden on business people in that 5 and 6 blocks might not be what we wanted to do, not to be well received by the business community, looking to leave 1, 4, 5, 6 alone in the proposal, might not bring in as much money)

Comments by Councilor Cruise

(average bill would only go up \$27 a quarter, commercial, comments re users in block 6)

Comments by Councilor Thompson

(restraint on enterprise fund)

Comments by Larry Rowley, DPW Commissioner

(general fund should not be bailing out an enterprise account, general fund should be paid back, would like to see the user fee go towards infrastructure)

Comments by Troy Clarkson, CFO

(\$2.3 million estimate is where the enterprise fund needs to be, get the fund solvent and fix infrastructure)

Comments by Councilor Cruise

(block 2 going up 22 a quarter, which is the largest, block 2 has largest increase, but they are the largest user, going to get a lot out of doing this)

Comments by Larry Rowley, DPW Commissioner

(only water rate increase)

Comments by Councilor Cruise

(re proposal vs. ordinance as is, format)

Comments by Councilor Thompson,

(looking for City comparable)

Comments by Troy Clarkson, CFO
(annual charge is most relevant, Brockton is on the low side bar far)

Comments by Councilor Rodrigues
(re towns around Brockton are paying higher)

Motion by Councilor Rodrigues to amend Block 2 to read "6.20" for Rate Effective figure, to amend Block 3 to read "7.60" for Rate Effective figure, to amend Block 4 to read "8.60" for Rate Effective figure, to amend Block 5 to read "8.40" for Rate Effective figure, to amend Block 6 to read "9.00" for Rate Effective figure, 2nd by Councilor Monahan. Motion carried unanimously.

Comments by Councilor Cruise
(re meters are separate account)

Comments by Councilor Monahan
(re \$20 proposal)

Comments by Councilor Cruise
(need to raise fund)

Motion by Councilor Monahan to insert "(10) water user fee...\$15.00" and "(11) sewer user fee...\$15.000" to Sec. 23-25 "Fees and Charges", 2nd by Councilor Rodrigues, Motion carried unanimously.

Comments by Troy Clarkson
(20 miles for a project for \$15, 30 miles for \$20)

Comments by Larry Rowley, DPW Commissioner
(MWRA has user fee)

Comments by Councilor Thompson
(re increase to average user, user fee dedicated to infrastructure, re senior relief, hardship handled internally)

Comments by Councilor Asack
(commercial sewer v. residential, per meter charge)

Motion by Councilor Monahan to strike the last paragraph, 2nd by Councilor Thompson. Motion carried unanimously.

Motion to report FAVORABLE AS AMENDED by Councilor Monahan, 2nd by Councilor Thompson. Motion carried unanimously

Next the Committee considered the following:

2. Ordinance: Be it ordained by the City Council of the City of Brockton as follows: That Section 2-127 of Chapter II is hereby amended by adding the following: Section 2-127-Pay Plan, (relative to Assistant Director of Human Resources.)

Comments by Councilor Cruise
(re new assistant director of human resource positions)

Comments by Attorney Bridges, Solicitor's office
(Lopes settlement agreement included provisions including assistant director of human resources position)

Comments by Councilor Cruise
(wage and personnel board no longer)

Comments by Attorney Bridges, Solicitor's office
(re funds from the City was approved to be released from the overlay surplus, already transferred to the human resources department)

Comments by Councilor Cruise
(no duties in ordinance, minimum qualifications)

Comments by Attorney Bridges, Solicitor's office
(job descriptions exist, similar to an assistant solicitor's position, judge could have an issue with the class settlement, 1-year obligation to fund the positions)

Comments by Sandra Knight, Director of Human Resources
(no minimum qualifications for other assistant director positions)

Comments by Councilor Cruise
(long term position, but the settlement agreement applies for 1 year)

Comments by Councilor Monahan
(assistant director position already recommended, what is the plan)

Comments by Sandra Knight, Director of Human Resources
(revamp hiring process, act as ADA coordinator, onboarding for employees, exit interviewing, cover in her absence, she will still serve as investigator for complaints, hearing officer for appeals, day to day relationships)

Motion to take item #4 first by Councilor Rodrigues, 2nd by Councilor Monahan. All

Next the Committee considered the following:

4. Ordinance: Be it ordained by the City Council of the City of Brockton as follows: That Section 2-127 of Chapter II is hereby amended by adding the following: Division 7.-Department of Human Resources

Comments by Attorney Bridges, Solicitor's office
(builds on recommends by the Collins Center, builds on the department and positions, right now it's more of a benefits department, this ordinance expands the nature of the department, includes support staff that is not benefits focus, job description available)

Comments by Councilor Thompson
(re what the department is currently doing, questions re clerical staff)

Comments by Councilor Monahan
(re effect of this ordinance)

Comments by Councilor Cruise
(re full time job)

Comments by Councilor Rodrigues
(assistant to human resources and the diversity inclusion manager is under the direction of the director, can assign additional duties)

Motion to report FAVORABLE by Motion of Councilor Rodrigues, 2nd by Councilor Monahan.
Motion carried unanimously.

Next the Committee considered the following:

2. Ordinance: Be it ordained by the City Council of the City of Brockton as follows: That Section 2-127 of Chapter II is hereby amended by adding the following: Section 2-127-Pay Plan, (relative to Assistant Director of Human Resources.)

Comments by Megan Bridges, Solicitor's Office
(re comparable to assistant positions within the City departments)

Comments by Sandra Knight, Director of Human Resources
(wants to hire them at Step 2)

Comments by Councilor Cruise
(re minimum of a bachelor's degree)

Comments by Councilor Eaniri
(looking at Step 2 figures)

Motion to report FAVORABLE by Motion of Councilor Monahan, 2nd by Councilor Rodrigues.
Motion carried unanimously.

Next the Committee considered the following:

3. Ordinance: Be it ordained by the City Council of the City of Brockton as follows: That Section 2-127 of Chapter II is hereby amended by adding the following: Section 2-127-Pay plan, (relative to Diversity and Inclusion Manager.)

Comments by Councilor Cruise
(re pay plan and minimum qualifications, answers to director, residency in the job description)

Comments by Councilor Eaniri
(re starting at Step 1)

Motion to report FAVORABLE by Motion of Councilor Monahan, 2nd by Councilor Rodrigues.
Motion carried unanimously.

Next the Committee considered the following:

5. Ordinance: Be it ordained by the City Council of the City of Brockton as follows: That Section 2-127 of Chapter II is hereby amended by adding the following: Section 2-127. -Pay plan, (relative to the Director of Human Resources.)

Comments by Attorney Bridges, Solicitor's Office
(re comparison to other communities, advertising position, \$112,000 was prior proposal, intended to ask for retroactive pay)

Comments by Councilor Eaniri
(concern re need to look at all positions for department heads)

Comments by Councilor Rodrigues
(looking at expanding horizon to be more of a City, moving away from personnel director, re comparison to school department)

Comments by Councilor Thompson
(transfer to step 2 of this proposed paygrade)

Comments by Attorney Bridges, Solicitor's Office
(re change in function of department and services)

Comments by Councilor Monahan
(re comparable to other communities)

Comments by Sandra Knight
(re letter from Mayor Carpenter)

Comments by Councilor Cruise
(re comparison to other Cities)

Motion by Councilor Rodrigues to amend the following: Minimum to \$106,430; Step 2 \$112,450; Step 3 \$116,003; Step 4 \$119,664; Step 5 \$123,443; Step 6 \$127,316; Step 7 \$131,316, 2nd by Councilor Monahan. Motion failed 2-3.

Motion by Councilor Monahan to amend the following: Minimum to \$112,500; Step 2 \$115,875; Step 3 \$119,331; Step 4 \$122,930; Step 5 \$126,620; Step 6 \$130,420; Step 7 \$134,330 , 2nd by Councilor Eaniri. 4-1 Motion carries.

Motion to report FAVORABLE AS AMENDED by Motion of Councilor Eaniri, 2nd by Councilor Monahan. Motion carried 4-1.

Motion to adjourn by Councilor Rodrigues, 2nd by Councilor Thompson at 8:10 p.m. Motion carried unanimously.

The meeting was adjourned at 8:10 p.m.

AS AMENDED

In City Councilor January 13, 2020

ORDINANCE

AN ORDINANCE AMENDING CH. 23, DIVISION II, RATES AND CHARGES, SCHEDULE B OF THE REVISED ORDINANCES OF THE CITY OF BROCKTON

Delete Current Schedule of "Annual Charges for use of public Sewer" and replace it with the following on the effective date noted below:

Rate Block Quarterly Usage (per 100 cubic ft of water usage)	Rate Effective on all bills mailed on or after July 1, 2020
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1. 0-1250	
2. 1251-2500	6.20
3. 2501-5000	7.60
4. 5001-10000	8.60
5. 10001 – 25000	8.40
6. 25001 - 999999	9.00

Insert the following to Section 23-25 "Fees and Charges"

- (11) water user fee... \$15.00 on all bills mailed on or after July 1, 2020
- (12) sewer user fee... \$15.00 on all bills mailed on or after July 1, 2020

Councilor Thomas Monahan

AS AMENDED

In City Councilor February 24, 2020

ORDINANCE

Revised Ordinances of the City, Section 2-127-Pay Plan is hereby amended by deleting in its entirety from compensation Grade DH5 the title of Director of Personnel and its associated step salaries and replacing it with the following:

Comp Grade

DH5 Director of Human Resources

Minimum	\$112,500
Step 2	\$115,875
Step 3	\$119,331
Step 4	\$122,930
Step 5	\$126,620
Step 6	\$130,420
Step 7	\$134,330

Council President Shirley Asack