

**108.**

This meeting is being held in accordance with Governor Charlie Baker's signed open meeting law order dated March 12, 2020 which relieves a public body from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means **following COVID-19 procedures.**

A regular meeting of the City Council was held on Monday July 27, 2020 in the City Council Chambers, 2<sup>nd</sup> floor of City Hall, 45 School St., Brockton, MA. President Asack presiding. The meeting was called to order at 7:04 PM with ten members present. Councilor Monahan absent.

In City Council July 27, 2020

- 359** Acceptance of the City Council minutes of June 18, 2020 special meeting.

Accepted and placed on file

- 360** Acceptance of the City Council minutes of June 22, 2020 meeting.

Accepted and placed on file

- 361** Acceptance of the City Council minutes of July 16, 2020 special meeting.

Accepted and placed on file

**APPOINTMENTS**

- 362** Reappointment of David Lynch of 30 Quincy St. Brockton, MA 02302 as a Constable in the City of Brockton for a three-year term.

Referred to Finance

- 363** Of Frank Gurley of 375 Pearl St. Brockton, MA 02301 to the Brockton Redevelopment Authority for a five-year term, ending July 2025.

Councilor Cruise motioned to postpone this item to the next City Council meeting and was properly seconded. Motion carried by a hand vote.

- 364** Of Phillip Griffin of 19 Emory St. Brockton, MA 02301 to the Brockton Redevelopment Authority for a five-year term, ending July 2025.

Councilor Cruise motioned to continue this item to the next City Council meeting and was properly seconded. Motion carried by a hand vote.

**HEARINGS**

Petition of Andranik Arustamyan dba Advanced Auto Performance LLC of 92 Dartmouth St., Brockton, MA for a transfer of Motor Vehicle Repair Body License located at 210 No. Cary St., Brockton, MA

Councilor Cruise motioned to postpone this item until later in the meeting and was properly seconded. Motion carried by a hand vote.

Item discussed after final hearing completed.

Andranik Arustamyan, owner of Advanced Auto Performance LLC, appeared in favor. He stated he would like the license transferred in his name so he can continue and grow the business.

**HEARINGS (cont'd)**

Councilor Thompson stated he has spoken with Mr. Arustamyan regarding some stipulations on the license. Because the location is in a residential area, there are some concerns about noise. The stipulations include the installation of exterior cameras, two facing the parking lot and two facing the street. There will be signage clearly stating that the cameras are present and people are being recorded. There will also be additional signage stating there would be no revving of engines or playing of loud music in the parking lot.

Councilor Thompson asked for clarification on the hours of operation. Mr. Arustamyan said they are 8:30AM to 6:00PM Monday through Friday, Saturdays from 9:00AM-12:00PM, unless appointments until 4:00PM, closed on Sundays and holidays.

Councilor Thompson motion for the acceptance of these stipulations and was properly seconded. Motion carried by a hand vote.

Councilor Rodrigues questioned that a stipulation was accepted for no engine revving in the parking lot. He continued that if you are going to repair cars, are you sure that you would not do this. He asked if this was during a particular time frame or all day. Councilor Thompson clarified there were incidents in the past of patrons revving their engines and that the stipulation is only for signage and there are no penalties to be enforced relating to this, to make people aware not to do this.

No one appeared in opposition.

Hearing held.

License transfer was granted with stipulations by a hand vote.

Petition of Abdellatif Naanaa, Naanaa Realty Trust, LLC, of 39 Colonial Rd., Milton, MA, for a Transfer of a Garage License located at 1724A Main St., Brockton, MA (for up to 20 cars)

Attorney Creedon on behalf of the petitioner and Abdellatif Naanaa, owner of Champion Auto and Bob Roderick, his general manager, appeared in favor.

Attorney Creedon said tonight they are looking for a garage approval, as Mr. Naanaa now owns the property and the body and mechanical licenses for this property. This situation is not like your regular auto body. There are several manufacturer dealers that take in used cars. They called those licenses over the years, fleet licenses where they may get 50 cars from one dealer and 50 from another, because those place can't handle them because of parking. There was a similar license in the area before (Veracka Motors) that was moved further down by Plain St. because it had enormous parking to store these used vehicles. This will not be a situation that will have cars all over the place. The location has over 300 spaces for parking and is an ideal situation. Mr. Naanaa has spent on behalf of the City, \$2.2 million to buy this. He has excise tax for the vehicles he owns for the business in excess of \$27K. The City will benefit taxwise. Attorney Creedon has spent many months with Deputy Williams and other City departments to get that property upgraded. There is now an entire new, revamped sprinkler system. They removed all of the drop ceilings, which was obstructing the old sprinkler system. The entire public area has been re-carpeted. Every code situation was addressed including some very expensive piping that led to the City drain system.

**HEARINGS (cont'd)**

They now have ten handicapped spaces close to the building that are all van accessible. Attorney Creedon continued that Mr. Naanaa is a minority and about 85% of his present employees in Quincy and Brockton are minorities. The back part of the property is a vacant lot which could expand into 50-60 more spaces, but currently leaving it as is. Mr. Naanaa has cleaned out all of the old cars that had been there and put in all new lighting and has in total spent over \$175K to do all of this to get the business operational.

Councilor Thompson asked how many total cars are being garaged. Attorney Creedon said Council Nicaastro will explain but they tried to coordinate the amounts of cars allowed on the used car license along with customer parking, which will have signage. Councilor Thompson asked that the license commission has already granted for a certain number to which Attorney Creedon replied yes, for 300 used cars. Attorney Creedon continued that that number had been a problem where different departments approve for different amounts. They are in the process of getting all of those numbers together so they can act on the exact number of vehicles that can be parked on the lot, since there are actually 330 spaces. They have agreed on only 300 at this time, based on Councilor Nicaastro's suggestion. There has not been a parking lot survey there in about 20 years and they will do a new one in the next 30 days. Councilor Thompson asked if the garage license was contingent on the development of that plan. Councilor Nicaastro clarified that they will be voting on a maximum number in the garage.

Councilor Farwell stated that this is a transfer for up to 20 cars, meaning only 20 inside the building. Attorney Creedon said there are two buildings and 20 is what they agreed to. Councilor Farwell asked for clarification on the old license and any restrictions. It was stated there were 20 cars for the front and 6 for the back. Councilor Farwell repeated that Attorney Creedon asked for clarification that cars from other dealers that do not have space for their cars would come here. Attorney Creedon said they would contract with dealers for them to take their used car vehicles and try to fix and sell them.

Councilor Nicaastro stated she has been working with the new owner and is grateful for the investment in Ward 4. They have been working with Deputy Williams and Megan Bridges from the Law Department trying to figure all of this out. On the advise of Attorney Bridges, we are going to go forward on three licenses, one garage, one mechanical repair and one auto body repair. She suggests merging the licenses that are listed on the agenda as 1724A and 1724B into 1724. The garage license would be would the total of the two, which is 26. Attorney Bridges advised this was the best way to proceed on this. We will be asking you to deny the 1724B licenses, since they will not be needed. Attorney Creedon stated they have worked out a signed agreement with stipulations. Councilor Nicaastro said there are no stipulations on a garage license, but for the next two licenses, she has stipulations that have been agreed upon by the new owner.

Councilor Eaniri commented that this is the first time in 31 years this business has turned over, when bought by Mr. Horgan. He continued that he hopes the new owner can get things on track to get their vans back out on the street. He stated he understands for the different addresses listed, but his concern is the number of cards that will be garaged that there would be only 20. Attorney Creedon said they could not predict how many cars would be received at a given time. Councilor Eaniri stated he would not want to see any cars being put in there at night, because you can fit more than 20 cars. He also wants the vacant lot taken care of and resurfaced and does not want to see it looking like a junkyard.

111.

**HEARINGS (cont'd)**

Attorney Creedon said he explained this to his client that they would not have a junk license that would allow him to put wrecks there.

Councilor Nicastro asked to clarify the amount of cars needed on the license and agreed on 20.

None appeared in opposition.

Hearing held.

License transfer was granted by a hand vote.

Clerk Zeoli stated that the petitions came in as they were written in the past, for the front and back buildings. Going forward there will be one license from each that will encompass both buildings. He suggested the second licenses should be tabled as no action will be needed.

Petition of Abdellatif Naanaa, Naanaa Realty Trust, LLC, of 39 Colonial Rd., Milton, MA, for a Transfer of a Garage License located at 1724B Main St., Brockton, MA (for up to 6 cars)

Councilor Eaniri motioned to table this item and was properly seconded. Motion carried by a hand vote.

Petition of Abdellatif Naanaa, Champion Auto Center Inc. DBA Green Auto Plus of 39 Colonial Rd., Milton, A, for a transfer of Motor Vehicle Repair Mechanical License located at 1724AMain St., Brockton, MA

Attorney Creedon on behalf of the petitioner and Abdellatif Naanaa and Bob Roderick appeared in favor. Attorney Creedon stated there are 9 lifts inside the front building and 4 outside. All are brand new and safe as they added a feature that if something is wrong with a lift they can cancel it immediately to prevent injuries. This will be the first state of the art facility in Brockton for auto repair and body.

Councilor Eaniri stated that in all the years the building was there, there was not a rest room in the auto body part and one needs to be put in. Mr. Naanaa stated there are 3 in the other building. Councilor Eaniri felt there should be at least one in each building. Attorney Creedon stated they are looking into that building regarding a second floor as well as restrooms and additional exits. He continued that legally as long as a rest room is within so many feet, you are compliant with the law. They will continue to comply with every request by the City.

Councilor Nicastro said she supports this transfer. She knows Mr. Naanaa has invested a lot in this property and that he will be hiring from Brockton.

Councilor Nicastro read the stipulations as follows:

1. Applicant agrees that at all times during the term of these licenses, the repair businesses operated pursuant to these licenses will comply with all city, state and federal laws and regulations.
2. Hours of Operation: Mon.-Fri. 7:00AM-7:00PM, Sat. 8:00AM-4:00PM, closed Sundays and legal holidays
3. Hours of Operation will be posted outside using a minimum of two (2) inch letters.
4. All outside storage of auto parts and/or debris is prohibited.
5. All outside storage of Vehicles in prohibited on Main St.
6. All vehicles associated with use of these licenses must be parked off street.

**112.**

**HEARINGS (cont'd)**

7. All vehicle repair work must only be undertaken inside the garage building.
8. A total of 87 exterior parking spaces (24 for repairs, 7 for employees, 48 for customers, 8 handicapped van accessible) for the businesses associated with these licenses, said spaces must be properly striped with four (4) inch wide strips including cross hatched sections.
9. The parking plan showing parking space designations with Licenses will be posted; signage posted on building or painted on ground will mark dedicated parking spaces as set forth in Item #8.
10. No wrecked, damaged or dismantled motor vehicles or parts thereof will be visible from Main St.
11. Applicant acknowledges employing an appraiser as required by MA State Law.
12. Any dumpster will be properly fenced per ordinance and/or State Law and shown on plan provided with application.
13. Vending machines will not be placed outside the building.
14. All vehicles for repair will be stored solely at the licensed premises.
15. Applicants agree that no illegality will take place on the licensed premises.
16. Upon acceptance of these licenses, the undersigned acknowledges that any violation of the stipulations set forth above is punishable by a fine of \$360 per offense per day, and may be the reason for revocation of either or both of these licenses.

She stated the stipulations were signed off by Mr. Naanaa.

Councilor Nicastro motioned to accept the stipulations for the license and was properly seconded. Motion carried by a hand vote.

None appeared in opposition.

Hearing held.

License transfer was granted with stipulations by a hand vote.

Petition of Abdellatif Naanaa, Champion Auto Center Inc. DBA Green Auto Plus, of 39 Colonial Rd., Milton, MA, for a transfer of Motor Vehicle Repair Body License located at 1724B Main St., Brockton, MA

Councilor Nicastro clarified that even though this address is listed as 1724B, this the only body license and needs to be acted on and will be 1724 Main St. going forward.

Attorney Creedon on behalf of the petitioner and Abdellatif Naanaa, owner of Champion Auto and Bob Roderick, his general manager, appeared in favor. Attorney Creedon said this license will cover the spray booth.

Councilor Nicastro said she supports this transfer. Councilor Nicastro read the stipulations as follows:

1. Applicant agrees that at all times during the term of these licenses, the repair businesses operated pursuant to these licenses will comply with all city, state and federal laws and regulations.
2. Hours of Operation: Mon.-Fri. 7:00AM-7:00PM, Sat. 8:00AM-4:00PM, closed Sundays and legal holidays
3. Hours of Operation will be posted outside using a minimum of two (2) inch letters.
4. All outside storage of auto parts and/or debris is prohibited.
5. All outside storage of Vehicles in prohibited on Main St.
6. All vehicles associated with use of these licenses must be parked off street.
7. All vehicle repair work must only be undertaken inside the garage building.

**113.**  
**HEARINGS (cont'd)**

8. A total of 87 exterior parking spaces (24 for repairs, 7 for employees, 48 for customers, 8 handicapped van accessible) for the businesses associated with these licenses, said spaces must be properly striped with four (4) inch wide strips including cross hatched sections.
9. The parking plan showing parking space designations with Licenses will be posted; signage posted on building or painted on ground will mark dedicated parking spaces as set forth in Item #8.
10. No wrecked, damaged or dismantled motor vehicles or parts thereof will be visible from Main St.
11. Applicant acknowledges employing an appraiser as required by MA State Law.
12. Any dumpster will be properly fenced per ordinance and/or State Law and shown on plan provided with application.
13. Vending machines will not be placed outside the building.
14. All vehicles for repair will be stored solely at the licensed premises.
15. Applicants agree that no illegality will take place on the licensed premises.
16. Upon acceptance of these licenses, the undersigned acknowledges that any violation of the stipulations set forth above is punishable by a fine of \$360 per offense per day, and may be the reason for revocation of either or both of these licenses.

She stated the stipulations were signed off by Mr. Naanaa.

Councilor Nicastro motioned to accept the stipulations for the license and was properly seconded. Motion carried by a hand vote.

None appeared in opposition.

Hearing held.

License transfer was granted with stipulations by a hand vote.

Petition of Abdellatif Naanaa, Champion Auto Center Inc. DBA Green Auto Plus, of 39 Colonial Rd., Milton, A, for a transfer of Motor Vehicle Repair Mechanical License located at 1724B Main St., Brockton, MA

Councilor Cruise motioned to table this item and was properly seconded. Motion carried by a hand vote.

Petition of 1854 Main Street, LLC for a Garage License located at 1854 Main St., Brockton, MA

Ston Sauvuer, the owner of the business, appeared in favor.

Councilor Nicastro said she has worked with Mr. Sauvuer and he has been very cooperative going over stipulations for his license. His business is now located on Montello St. Last year he purchased the former Nilsson Fence property and has redeveloped it into a combination of sales of used vehicles and now wants to have the repair licenses. Mr. Sauvuer obtained his Class 2 license from the License Commission last December and has been waiting through COVID-19 to finish things out. Later we will be going forward on the mechanical license, but I will be asking t postpone the body license. Mr. Sauvuer has worked extensively with Deputy Chief Williams, who has given the go ahead to move forward. Councilor Nicastro concluded that she supports this.

None appeared in opposition.

Hearing held.

**HEARINGS (cont'd)**

License transfer was granted by a hand vote.

Petition of Mass Best Motors, Inc dba Stepvan USA of 286 Ettrick St., Brockton, MA, for a Motor Vehicle Repair Mechanical License located at 1854 Main St., Brockton, MA

Ston Sauvuer appeared in favor.

Councilor Nicastro had stipulations for this license as follows:

1. Applicant agrees that at all times during the term of these licenses, the repair businesses operated pursuant to these licenses will comply with all city, state and federal laws and regulations.
2. Hours of Operation: Mon.-Fri. 7:00AM-7:00PM, Sat. 8:00AM-2:00PM, closed Sundays and legal holidays
3. Hours of Operation will be posted outside using a minimum of two (2) inch letters.
4. All outside storage of auto parts and/or debris is prohibited.
5. All outside storage of Vehicles in prohibited on Main St.
6. All vehicles associated with use of these licenses must be parked off street.
7. All vehicle repair work must only be undertaken inside the garage building.
8. A total of 12 exterior parking spaces for the businesses associated with these licenses, said spaces must be properly striped with four (4) inch wide strips including cross hatched sections.
9. The parking plan showing parking space designations with Licenses will be posted; signage posted on building or painted on ground will mark dedicated parking spaces as set forth in Item #8.
10. No wrecked, damaged or dismantled motor vehicles or parts thereof will be visible from Main St.
11. Applicant acknowledges employing an appraiser as required by MA State Law.
12. Any dumpster will be properly fenced per ordinance and/or State Law and shown on plan provided with application.
13. Vending machines will not be placed outside the building.
14. All vehicles for repair will be stored solely at the licensed premises.
15. Applicants agree that no illegality will take place on the licensed premises.
16. Upon acceptance of these licenses, the undersigned acknowledges that any violation of the stipulations set forth above is punishable by a fine of \$360 per offense per day, and may be the reason for revocation of either or both of these licenses.

Councilor Nicastro continued that at the original location for Mass Best Motors, Mr. Sauvuer is in the process of cleaning up the property, where he still maintains repair licenses, that should be finished by the end of this week.

Councilor Farwell asked for clarification if this was a transfer of a license.

Councilor Nicastro informed this is a new license that accompanies his Class 2 Auto Sales License.

Councilor Nicastro motioned to accept the stipulations for the license and was properly seconded. Motion carried by a hand vote.

None appeared in opposition.

Hearing held.

License transfer was granted with stipulations by a hand vote.

**HEARINGS (cont'd)**

Petition of Mass Best Motors, Inc dba Stepvan USA of 286 Ettrick St., Brockton, MA, for a Motor Vehicle Repair Body License located at 1854 Main St., Brockton, MA

Ston Sauvuer appeared in favor.

Councilor Nicastro said that when the Fire Department wrote to the City Clerk, there were some issues that Deputy Chief Williams pointed out. He is working with Mr. Sauvuer and are not finished yet. They are also working on finalizing a parking plan.

Councilor Nicastro motioned to postpone this hearing until the City Council meeting in August and was properly seconded. Motion carried by a hand vote.

Councilor Cruise stated that there was a late file sent by the Police Department for a promotion. Councilor Cruise motioned to take item out of order and was properly seconded. Motion carried by a hand vote.

Councilor Farwell motion to take the Legal Greens item out of order and was properly seconded. Motion carried by a hand vote.

**REPORTS**

**365** Of the Ordinance Committee for its meeting on June 17, 2020

Accepted and placed on file.

**366** Of the Finance Committee for its meeting of July 20, 2020

Accepted and placed on file.

**COMMUNICATIONS**

**367** From the Mayor recommending that the City Council resolves to appropriate up to \$12,131,213.26 from unanticipated revenues from the Plymouth County CARES disbursement for purposes of mitigating impacts of COVID-19 on city and school operations. Funds to be expended and reimbursed from Plymouth County for the purposes outlined in "Plymouth County CARES Community Update."

Accepted and placed on file.

**368** From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the total proposed appropriation up to an amount of \$12,131,213.26 from Unappropriated Estimated Receipts-Plymouth County CARES disbursement for purposes of mitigating impacts of COVID-19 on city and school operations. Funds to be expended and reimbursed from Plymouth County for the purposes outlined in "Plymouth County CARES Community Update" dated May 14, 2020.

Accepted and placed on file.

**369** From the Executive Director of the Parking Authority, requesting the transfer of \$30,704 from Parking Authority Reserve-Meters to Personnel-Part Time Salaries.

Accepted and placed on file.

**370** From the Mayor, recommending that the City Council provide authorization to transfer monies from the Parking Authority Reserve account to the Parking Authority-Personal Services Other Than Overtime-Part Time Salaries line item in

**COMMUNICATIONS (cont'd)**

the amount of \$30,704.

Accepted and placed on file.

- 371** From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the transfer of \$30,704 from Parking Authority Reserve account to Parking Authority-Personal Services Other Than Overtime-Part Time Salaries.

Accepted and placed on file.

- 372** From the Mayor, recommending that the City Council provide authorization to expend additional funds from the Commonwealth of Massachusetts-Massachusetts Census (CCCCGP) Division, 2020 Census Municipal Grant in the amount of \$50,000.

Accepted and placed on file.

- 373** From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the acceptance and expenditure of the additional sub-recipient grant award in the amount of \$50,000 from Commonwealth of Massachusetts-Massachusetts Census (CCCCGP) Division-2020 Census Municipal Grant to Mayor's Office- 2020 Census Municipal Grant Fund.

Accepted and placed on file.

- 374** From the Procurement Department, requesting the transfer of \$26,654, to the Procurement Department - Full-Time Salaries. The purpose of the transfer is to fund the vacant position of Administrative Assistant Grade II that was presented as unfunded in the FY21 budget.

Accepted and placed on file.

- 375** From the Mayor, recommending that the City council provide authorization to transfer monies from Unappropriated Estimated Receipts to the Procurement-Personal Services Other than Overtime line item in the amount of \$26,654.

Accepted and placed on file.

- 376** From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the transfer of \$26,654 from Unappropriated Estimated Receipts to Procurement- Personal Services Other Than Overtime.

Accepted and placed on file.

- 377** From the Mayor, recommending that the City Council pass the HDIP Tax Increment Exemption between the City of Brockton and One Nine Residencies, LLC for the property located at 19 Main St.

Accepted and placed on file.

- 378** From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the approval of the HDIP Tax Increment Exemption Agreement between the City and One Nine Residencies, LLC for the property located at 19 Main St.

Accepted and placed on file.

**COMMUNICATIONS (cont'd)**

- 379** From the Mayor, recommending that the City Council pass the HDIP Tax Increment Exemption between the City of Brockton and 28 Petronelli LLC for the property located at 28 Petronelli Way.

Accepted and placed on file.

- 380** From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the approval of the HDIP Tax Increment Exemption Agreement between the City and 28 Petronelli LLC for the property located at 28 Petronelli Way.

Accepted and placed on file.

**UNFINISHED BUSINESS**

Granting of Marijuana License to Legal Greens, LLC, located at 73-75 Pleasant St., Brockton, MA 02301 (In City Council July 16, 2020 CONTINUED)

Attorney Richard Statie, council for Legal Greens LLC. Attorney Statie wanted to recognize and thank the Council members who assisted us in indirect ways and Attorney Resnick for her cooperation and giving insight on things that were needed. He stated you will see a much more complete document that has been completely revised. The things that were included, are not limited to, the complete cannabis application, financial information, host agreement, certification by Cannabis Commission, zoning material, site plan approval and planning board approval. They also included the storm water management records, lease and property information and all necessary identification such as CORIs, licenses and other relevant things.

Attorney Statie continued that this plan has been going on for a while and was vetted very carefully and thoroughly by the tech review committee, planning board and zoning board to make sure the criteria are met and the special permits are given in the right manner. He thanked Councilor Monahan for his help in getting the special permits along the way.

A brief power point presentation was done by Vanessa Jean Baptiste, CEO and Mark Bouquet, COO of Legal Greens LLC. Attorney Statie reminded that they are an economic empowerment applicant and they are ready to go to work in Brockton and get to the next phase.

Ms. Jean Baptiste introduced her partners, Mark Bouquet and Mike Maloney. Ms. Jean Baptiste did her presentation regarding what is going on in Brockton, showed the property where the business is located along with artist renderings of what it will look like when completed.

Mr. Bouquet spoke regarding the operations of the business. He said they had planned on commencing in November 2020, but COVID-19 slowed that down. They plan to hire 16-20 local residents. He stated traffic control will be handled working with Brockton Police. They are currently redoing the parking lot and will be directing people left onto Pleasant St. to decrease traffic impact. Mr. Bouquet spoke about security, inside and outside the dispensary, diversion and their timeline.

Ms. Jean Baptiste to why they chose downtown Brockton for a location. Downtown is going through its' own renovations and they wanted to be part of this redevelopment.

Councilor Farwell asked if they have reviewed the City Ordinances relating to

**UNFINISHED BUSINESS (cont'd)**

marijuana businesses, to which the reply was yes. He asked if they understood the provisions of the Ordinances and that violation of them could be grounds for suspension or revocation of any license, to which the reply was yes. He asked if they understood that any false or misleading statements during this procedure could be revocation of any license, to which the reply was yes. Councilor Farwell asked if there were any City employees, appointed or elected, that has a financial or any other interest in this venture, to which the reply was no. Councilor Farwell confirmed the principal investors for the company then asked if there was any type of ownership agreement with anyone not mentioned tonight, to which the answer was no. He asked if they knew who the day to manager would be, to which Mr. Bouquet said it would be him. Councilor Farwell asked if they current owned any other marijuana licenses or businesses in Massachusetts or any other state, to which they replied no. He asked if there were any pending applications for any other licenses for marijuana with any other communities. Ms. Jean Baptiste answered yes they were in the process of getting a host agreement in Boston. Councilor Farwell asked if this business was to operate for more than a year, to which the response was yes. He asked if they have executed a host community agreement with any other municipality in Massachusetts, which was answered not at the moment. Councilor Farwell asked what was needed for their conditional license before being fully licensed. Ms. Jean Baptiste stated they are completing the architectural review which is required before build out. Councilor Farwell asked when they would expect to be ready to begin operations, to which the reply was November.

Councilor Farwell commented that last meeting there was mention of the location. In his opinion, if someone is willing to put their time, talent and resources into a business, as long as it is not a public safety issue, it not up to him to pass judgement on that.

Councilor Eaniri said at the previous meeting, he was the only councilor to express a concern about the location. After taking the last week to study the area, his biggest concern about the location is traffic flow, not only for vehicles but pedestrians. The fire department is located there and comes out onto the street. The flow from the parking lot will take traffic onto Spring St. towards N. Warren Ave. The ordinance was originally written to avoid businesses in these types of locations. He commended the applicants for taking on the improvements to the building. Councilor Eaniri said the City is way behind with marijuana facilities and does not want to cause any businesses any hardship, if they feel they can make it in the correct way. He stated he will be voting in favor of the license.

Attorney Statie commented that he appreciated the comments and that it behooves the client to make sure it is a well-run establishment to succeed and they are committed to doing that.

Councilor Cardoso had a question about security, especially in this area. It is of utmost importance that they maintain all the safety features that were talked about, to make sure kids do not have access to products and that people are not outside. She continued that being a minority owned business, she is looking up to them to make sure you make us proud and succeed. Councilor Cardoso asked how complaints will be addressed. Mr. Bouquet answered that if the complaint had to do with law enforcement, they will reach out to law enforcement to take care of the issue. If it is something they can handle themselves, he will address it having previous experience in retail. Attorney Statie added they want to be proactive, not reactive.

Councilor Rodrigues said he wanted to echo Councilor Cardoso's sentiment and concern. He said a lot are putting a lot on the line to make sure that you succeed. Councilor Rodrigues said it's not fair to us at times, but we have to do things

**119.**

**UNFINISHED BUSINESS (cont'd)**

twice as good as everybody else because often the leash that is put upon us are not as long as everybody else and you know what I am saying by that. He continued that he hopes they run a successful business, but don't cut any corners, because when you do that you let a lot of people down. Councilor Rodrigues said when he first became Mayor, he wanted to make sure they were given an opportunity to compete at the level that everybody else was. That was why he went to bat for them to at least give you a host agreement.

Councilor Mendes said she had the opportunity to go into the property and see the work that is being done. She is confident that the business will be successful. It is the only location you could see work being done.

Councilor Nicastro asked to confirm that they were in good standing with the Department of Revenue and Secretary of State, to which the reply was yes. She then asked for an explanation of the impact plan and how they plan to help the City by hosting workshops. Mr. Bouquet said they want to teach things to youth that aren't taught in school that will help impact lives. They want to assist people that have been in prison to help them out and get them on the right track. In regards to hiring, the general contractor they hired is a minority owner and the money they take in they want to pass it along to other minorities families based on who they hire and are working with. Councilor Nicastro also commented that they stated they were going to host workshops on how to get into the cannabis industry in Brockton, to which they replied yes.

None appeared in opposition.

Hearing held.

Granted by a roll call vote taken by "yeas" and "nays"; ten members present and all voting in the affirmative. Councilor Monahan absent.

Councilor Farwell motioned for reconsideration in the hopes that it does not prevail and was properly seconded. Motion failed by a hand vote.

- 137** 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 (FAVORABLE AS AMENDED)

The amendment passed by a hand vote. Passed to a third reading as amended, by a hand vote.

- 138** 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.) (FAVORABLE AS AMENDED)

The amendment passed by a hand vote. Passed to a third reading as amended, by a hand vote.

- 281** Ordinance: That the City Council approve "an Ordinance amending Chapter 27 of the Revised Ordinance of the City of Brockton Concerning Restaurants."  
Be it ordained by the City Council of the City of Brockton as follows:  
Sec. 27-28. C-1 Zones, neighborhood commercial zones, Paragraph 3, Special Permitted Uses, is hereby amended. (FAVORABLE)

Passed to a third reading by a hand vote.

- 162** Ordinance: Be it ordained by the City Council of the City of Brockton as follows: That the City Council amend Chapter 27 of the Revised Ordinances of the City of

**120.**

**UNFINISHED BUSINESS (cont'd)**

Brockton to create a new zoning overlay district for certain parcels on North Pearl Street. (FAVORABLE ORD/PLANNING)

Councilor Cruise motioned to have this item referred to Finance to have the developer present to everyone and was properly seconded.

Councilor Farwell stated if they were going to have the developer come in, there were 70-80 people at the public meeting at the Hancock School. If one side is going to present, should there be a few minutes for a spokesperson from that group. Councilor Cruise said that would be difficult. Councilors can obtain those questions and ask on their behalf.

President Asack said City hall is open to the public, but only so many can be held in the gallery with distancing. It would be first come, first served and the rest could view from the hallway. This would not be open to public comment.

Motion carried by a hand vote

- 243** Ordinance: Be it ordained, pursuant to Section 27-5 of the City Ordinances “Zoning Map” whereby reference is made to and incorporation of said boundaries of each of the zones established as shown on the map entitled, “The City of Brockton, Massachusetts Zoning District Map” dated November 10, 1967, and thereafter amended, that said map be amended to reflect zoning changes from C-2/R-2(current) to C-2 (Relative to Quincy St. and Centre St.) (FAVORABLE ORD/PLANNING)

Passed to a third reading by a hand vote.

- 342** Ordered: 1. That the Mayor of Brockton, pursuant to the provisions of M.G.L., Ch. 44, sec. 53A, be and is hereby authorized to accept the grant in the amount of \$920,000 from the Commonwealth of Massachusetts Housing Choice Initiative Program; and 2. That the Mayor of Brockton be and is hereby authorized to expend and take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by the City’s Department of Public Works. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; ten members present and all voting in the affirmative. Councilor Monahan absent.

- 343** Ordered: The City of Brockton shall accept a \$200,000 40R Smart Growth incentive dividend from the Commonwealth of Massachusetts and reinvest it in planning activities. That \$100,000 of the 40R Smart Growth dividend be appropriated in Fiscal Year 2021 to Department of Planning and Economic Development, 40R Activities, and that the Department is authorized to engage professional consulting services to prepare various planning documents for various commercial district and in particular the Campello neighborhood. Said documents may include, but shall not be limited to the following; District Master Plans, Rezoning Proposals, Urban Renewal Plans, District Improvement Plans, and Infrastructure Plans. That \$100,000 of the 40R Smart Growth dividend be appropriated into a Thatcher Street stabilization account to be created by the Chief Financial Officer. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; ten members present and all voting in the affirmative. Councilor Monahan absent.

- 344** Ordered: That the City of Brockton shall accept a \$50,000 Planning Assistance Grant from the Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs (EEA), for the purposes of developing Transit Oriented Development zoning in the Campello Neighborhood, and That the required 25%

**121.**

**UNFINISHED BUSINESS (cont'd)**

match of \$12,500 come from the Thatcher Street 40R Smart Growth dividend, and That the Mayor of Brockton be and is hereby authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by the Department of Planning and Economic Development. (FAVORABLE)

Adopted by a roll call vote taken by “yeas” and “nays”; ten members present and all voting in the affirmative. Councilor Monahan absent.

- 285** Ordered: that the City Council re-authorize the Parking Authority’s Revolving Fund for revenues from parking fines up to and including the amount of \$250,000 for FY2021 (FAVORABLE AS AMENDED)

Councilor Cruise said that the CFO found that the minutes of the Finance committee do not show that the Council voted on the amendment. Councilor Cruise motioned to vote on the amendment and have the amendment read then vote on final passage and was properly seconded.

The amendment passed by a hand vote.

Adopted as amended, by a roll call vote taken by “yeas” and “nays”; ten members present and all voting in the affirmative. Councilor Monahan absent.

**ORDERS**

- 381** Ordinance: An Ordinance Amending Section 2-181 of the Revised Ordinances of the City of Brockton. Be it Ordained by the City Council of the City of Brockton as follows: Section 2-181 is repealed in its entirety and in its place the following is inserted: “The city solicitor shall be an active attorney at law in the Commonwealth of Massachusetts, properly licensed and in good standing with the Massachusetts Bar Association. He or she shall have a minimum of five (5) years of experience in the practice of law in Massachusetts with a thorough knowledge of Massachusetts General Laws including municipal law. He or she shall have demonstrated trial experience including the research, preparation, and management of civil or criminal cases during the various stages of litigation. The provisions of Section 2-110 of the Revised Ordinances shall not apply to this position. However, where two or more candidates have equal qualifications and experience as determined by the Mayor, preference shall be given to a resident of the city or a candidate willing to move into the city within one (1) year of appointment.”

Referred to Ordinance

- 382** Brockton Social Equity & Economic Empowerment Ordinance: An ordinance to (establish by public mandate) to prioritize the establishment of minority owned dispensaries and to ensure minority owned businesses have access to participate in the Commercialization of Cannabis.

Referred to Ordinance

- 383** Ordered: That the City Council of the City of Brockton finds that there is a clear need for an Urban Renewal Plan. In order to achieve the approved objectives on the Brockton Comprehensive Plan, A Blueprint for Brockton., that the Downtown / Trout Brook Urban Revitalization Plan, as described in Exhibit A, prepared by Harriman and RKG Associates, dated June 2020 is an Urban Renewal Plan prepared in accordance with MGL Chapter 121B and 760 CMR 12.00, that the City Council approves the boundaries of the Downtown / Trout Brook Urban Revitalization Plan. Plan located in City Clerk’s Office for review.

Referred to Finance

**122.**  
**ORDERS (cont'd)**

- 384** Ordered: Appropriation of up to \$12,131,213.26  
From: Unappropriated Estimated Receipts-Plymouth County CARES  
disbursement for purposes of mitigating impacts of COVID-19 on city and school  
operations. Funds to be expended and reimbursed from Plymouth County for the  
purposes outlined in “Plymouth County CARES Community Update.”
- Referred to Finance
- 385** Ordered: Total Transfer of \$30,704  
From: Parking Authority Reserve account  
To: Parking Authority – Personal Services Other Than Overtime-Part Time  
Salaries.
- Referred to Finance
- Councilor Cardoso stepped down
- 386** Ordered: Total Transfer of \$50,000  
From: Commonwealth of Massachusetts-Massachusetts Census (CCCGP)  
Division-2020 Census Municipal Grant  
To: Mayor’s Office- 2020 Census Municipal Grant Fund
- Referred to Finance
- 387** Ordered: Total Transfer of \$26,654  
From: Unappropriated Estimated Receipts  
To: Procurement- Personal Services Other Than Overtime
- Councilor Rodrigues motioned to take this item under the suspension of the rules  
to act on tonight and was properly seconded. Motion carried by a hand vote.
- Adopted by a roll call vote taken by “yeas” and “nays”; nine members present and  
all voting in the affirmative. Councilors Cardoso and Monahan absent.
- 388** Ordered: That the City Council authorize the proposed HDIP Tax Increment  
Exemption between the City of Brockton and One Nine Residencies, LLC for the  
property located at 19 Main St.
- Referred to Finance
- 389** Ordered: That the City Council authorize the proposed HDIP Tax Increment  
Exemption between the City of Brockton and 28 Petronelli LLC for the property  
located at 28 Petronelli Way.
- Referred to Finance
- 390** Resolved as follows: That the City of Brockton shall conduct a study to better  
understand the availability and quantity of excess water and sewer capacity of the  
City of Brockton, that the City of Brockton explore the prospective income to the  
City by providing water and sewer to surrounding communities, that the City of  
Brockton shall study the status of Intermunicipal Agreements and ways to  
cultivate purchasers of City water and sewer, that the City of Brockton shall also  
study the financial feasibility of purchasing the Aquaria Water LLC desalination  
plant and selling this extra water capacity to surrounding communities, that the  
Study be conducted by a Committee consisting of the City of Brockton’s DPW  
Commissioner, Chief Financial Officer, the Law Department and select City  
Councilors, that the Committee shall submit a full and final report to the full City  
Council within 120 days of the approval of this resolve.

**123.**  
**ORDERS (cont'd)**

Referred to Finance

Councilor Cardoso returned.

**LATE FILES**

Councilor Cruise motioned to accept a late file and was properly seconded. The motion carried by a hand vote.

- 391** Promotion of Officer Jason F. Sullivan to the rank of Sergeant in the Brockton Police Department.

Councilor Cruise motioned to act under suspension of the rules and was properly seconded. The motion carried by a hand vote.

Officer Sullivan said he was quite excited and thanked the City Council.

Promotion was confirmed by a hand vote.

**Councilor's Recognition**

President Asack announced that the School Committee will be hosting a parent/guardian forum about the safe reopening of our schools on Tuesday July 28 at 5:30PM. Questioned can be emailed to [reopening@bpsma.org](mailto:reopening@bpsma.org).

President Asack congratulated all 2020 graduates on behalf of the entire Council. She thanked the Mayor and Superintendent and School Committee members for making it possible for our graduates to be able to graduate on the field.

Councilor Nicastro announced that on July 28<sup>th</sup> at 6:30PM at the Davis School, she will be hosting a neighborhood meeting to discuss a proposed subdivision near 678 East St. The lots are located in East Bridgewater.

**Executive Session- to discuss legal matter regarding Open Meeting Law Complaints if the Council determines that an open session discussion would have a detrimental effect on the City.**

Councilor Cruise motioned to go into Executive Session, as discussing pending litigation may be detrimental to the legal position of the city and was properly seconded. The motion carried by a roll call vote taken by "yeas" and "nays"; eleven members present and all voting in the affirmative.

The Council President stated that they were going to go into Executive Session and they would not be returning to the Council Chambers.

All council business as listed on the agenda have been emailed to the City Council members in their complete form, with exception of oversized material, such as maps, photos, etc. Recommendations are based on reports from committees.

Adjourned 8:56pm