

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**.

Out of respect for public health and in response to the Governor's declared state of emergency, this meeting will be via ZOOM. Interested parties can instead access the deliberations via a livestream

<https://www.youtube.com/user/TheBrocktonChannels/live>

In City Council, February 8, 2021

1. Acceptance of the Minutes of the January 25, 2021 City Council meeting
2. Communication from the Mayor notifying the City Council that Lucia Cerci of 118 Wilson Street, Brockton, MA has resigned from the Conservation Commission.

APPOINTMENTS:

3. Of Joyce Voorhis of 1366 Pleasant Street, Brockton, MA to the Conservation Commission for a three (3) year term ending February 2024.

REPORTS:

4. Of the Ordinance Committee for its meeting on January 28, 2021
5. Of the Finance Committee for its meeting of February 1, 2021

HEARING:

6. Petition of ZE&D Auto Repair, Inc., Jose Monteiro, 16 Lilly Avenue, Brockton, MA for a Transfer of Motor Vehicle Repair Mechanical License located at 65 Court St., Brockton, MA. (previous owner Mouhamadou Goudiaby)

COMMUNICATIONS:

7. From the Superintendent of Schools, requesting permission to put out and RFP for a Five (5) year contract for a School Department Warehouse and Storage Facility for the Brockton Public Schools. The School Department is currently renting two warehouse spaces at two locations and is looking to consolidate the operations into one location that would better suit the needs of the school system.
8. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorizes Superintendent Michael P. Thomas to put out an RFP for a Five (5) year contract for a School Department Warehouse and Storage Facility for the Brockton Public Schools. The School Department is currently renting two warehouse spaces at two locations and is looking to consolidate the operations into one location that would better suit the needs of the school system.
9. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the support the School Departments request to execute a contract for five (5) years. Although, the City Council does not exercise the oversight of school spending, contracts exceeding three (3) years require local legislative approval. Therefore, he certifies that this proposed contract can be executed without a detrimental impact on the continuous provision of the existing level of municipal services.
10. From the Director of Planning and Economic Development requesting that the City Council authorize the acceptance and expenditure of the recoverable Brownfield Remediation Grant from MassDevelopment in the amount of \$250,000. The funds

will be used to finalize our Phase II Environmental Site Assessment and to remove underground storage tanks and contaminated soils. The grant is recoverable by MassDevelopment. This means that when the property is finally sold, the amount expended will be repaid to MassDevelopment from the sale proceeds.

11. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorizes the acceptance and expenditure of the of the total grant award in the amount of \$250,000 from the MassDevelopment-Brownfield Remediation Grant to the Planning and Economic Development-Brownfield Remediation Grant Fund. The MassDevelopment-Brownfield Remediation Grant will be used to finalize the Environmental Site Assessment and to remove underground storage tanks and contaminated soils. There is no required match for these funds. The grant is recoverable by MassDevelopment. When the property is eventually sold, the amount expended will be repaid to MassDevelopment.
12. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the total acceptance and expenditure of the of the grant award in the amount of \$250,000 from the MassDevelopment-Brownfield Remediation Grant to the Planning and Economic Development-Brownfield Remediation Grant Fund.
13. From the Director of Planning and Economic Development requesting that the City Council authorize the acceptance and expenditure of the total grant award in the amount of \$2,654,000.00 from the Commonwealth of Massachusetts MassWorks Program to the Planning and Economic Development MassWorks Program Grant Fund. The funds will be used to upgrade the sewer, drainage and water utilities and rebuild the road ways.
14. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorizes the acceptance and expenditure of the of the total grant award in the amount of \$2,654,000.00 from the Commonwealth of Massachusetts MassWorks Program to the Planning and Economic Development MassWorks Program Grant Fund. The MassWorks Grant will be used to upgrade the sewer, drainage, and water utilities and to rebuild the roads ways at the Garfield Street/Terminal Place reconstruction. This work will expand our efforts to improve the infrastructure in the Campello district to support the commercial and residential development identified in the 2019 Campello Visioning Report. There is no required match for these funds.
15. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the total acceptance and expenditure of the of the grant award in the amount of \$2,654,000.00 from the Commonwealth of Massachusetts MassWorks Program to the Planning and Economic Development MassWorks Program Grant Fund.
16. From the Chief of Police requesting authorization to expend grant monies related to the FY2021 Municipal Public Safety Staffing Grant Program from the Executive Office of Public Safety and Security in the amount of \$275,000.00
17. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorizes the acceptance and expenditure of the of the total grant award in the amount of \$275,000.00 from the Executive Office of Public Safety and Security-FY2021 Municipal Police Services Staffing Grant to the Brockton Police Department-FY2021 Municipal Police Services Staffing Grant Fund. The FY2021 Municipal Police Services Staffing Grant will be used to pay overtime wages for patrol shift minimum staffing, shift overruns, detective investigations, restraining order service, training, community policing activities, etc. There is no required match for these funds.
18. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the total acceptance and expenditure of the of the grant award in the amount of \$275,000.00 from the Executive Office of Public Safety and Security-FY2021 Municipal Police Services Staffing Grant to the Brockton Police Department-FY2021 Municipal Police Services Staffing Grant Fund.

UNFINISHED BUSINESS:

19. Ordinance: An Ordinance to Provide Noise Control and Establish, and To Enforce, Civil Infraction for Violation Be it ordained by the City Council of the City of Brockton, a new ordinance to be added to the Revised Ordinances, Chapter 14 – Offenses – Miscellaneous, as Section 14-49 or in the next section available. (IN CITY COUNCIL, NOVEMBER 23, 2020, THE AMENDMENT PASSED BY A HAND VOTE. PASSED TO A THIRD READING AS AMENDED, BY A HAND VOTE)
20. Ordinance: An Ordinance Amending Part II of the Revised Ordinances, Chapter 21 “Taxicabs, Buses, etc.” Be it Ordained by the City Council of the City of Brockton: Section 21-11(a) shall be amended. (FAVORABLE AS AMENDED)
21. Ordinance: Be it ordained by the City Council of the City of Brockton as follows: That the City Council adopt the following Amendment to the Ordinance Establishing Licensing and Regulation for Adult Use Marijuana Establishments: Section 1.004(1)(h) is amended by inserting the following sentence to the end of section 1.004(1)(h): “This section limiting the number of recreational retail marijuana licenses shall not apply to an RMD that was provisionally licensed not later than July 1, 2017.” Be it further ordained by the City Council of the City of Brockton as follows: That the language “Intentionally omitted” in Section 1.005 be stricken and the following language be inserted in its place, so that the following language replaces Section 1.005 in its entirety: “Upon such time as the City Council has granted all available recreational retail marijuana licenses pursuant to subsection 1.004(1)(h), the Clerk of the City Council shall no longer accept any new applications for a recreational retail marijuana license. Notice shall be given in writing to any applicant with a pending application notifying the applicant that there are no available recreational retail marijuana licenses. If any recreational retail marijuana licenses become available in the City of Brockton, the City Clerk shall post notice of the same on the City website and by posting notice of the same in City Hall.” (FAVORABLE AS AMENDED)
22. Ordinance: An Ordinance Amending Part II of the Revised Ordinance, Article II City Council, Division 3 Rules or Order and Procedure. Be It Ordained by the City Council of the City of Brockton: Section 2-91 shall be amended by adding the following new section: (f) Committee on equity, diversity and inclusion, to consist of five (5) councilors, to consider matters pertaining to equity, diversity and inclusion in the City of Brockton, and in general, to support City departments that deal with such issues. (FAVORABLE)
23. Ordinance: An Ordinance Amending Article III, Section 2-186 of the revised City Ordinances of the City of Brockton. Be it Ordained by the City Council of the City of Brockton as follows: Sec. 2-186 of Chapter II is hereby amended. (relative to Assistant City Solicitor) (FAVORABLE)
24. Ordinance: An ordinance amending Appendix C (Zoning), Article VII (Board of Appeals), Section 27-50 of the Zoning Ordinances of the City of Brockton to increase the fee associated with buildable lot determinations from fifty (\$50.00) dollars to two hundred and fifty (\$250.00) dollars. FAVORABLE)
25. Appointment of Henry Soones of 5 Kenneth Ave., Brockton, MA to the Council on Aging Board of Directors as an alternate for a three (3) year term ending January 2024. (FAVORABLE)
26. Ordered: Acceptance and expenditure of the total grant award in the amount of \$14,000.00
From: The Massachusetts Emergency Management Agency (MEMA)-
FY20 Emergency Management Preparedness Grant
To: Brockton Emergency Management Agency-FY20 Emergency
Management Preparedness Grant Fund. (FAVORABLE)

27. Ordered: Total grant award in the amount of \$623,809.00
From: The Executive Office of Public Safety & Security's 2021 Senator Charles E. Shannon, Jr. Community Safety Initiative Grant
To: The City of Brockton Police Department-FY2021 Senator Charles E. Shannon, Jr. Community Safety Initiative Grant Fund. (FAVORABLE)
28. Resolved: That Ms. Janice Fitzgerald and a representative from the Massachusetts Healthy Aging Collaborative be invited to a committee of the council to inform the public and councilors about the selection of Brockton to receive this honor. (FAVORABLE)

ORDERS:

29. Ordered: That the City Council authorize the Superintendent Michael P. Thomas to put out an RFP for a Five (5) year contract for a School Department Warehouse and Storage Facility for the Brockton Public Schools.
30. Ordered: That the City of Brockton hereby accepts a Recoverable Grant in the amount of Two Hundred Fifty Thousand (\$250,000) Dollars through MassDevelopment's Brownfield Redevelopment Fund to preform environmental remediation activities at the City owned Corcoran Building, 308 Montello Street, Brockton, MA, to advance the redevelopment of this site.
31. Ordered: Acceptance and expenditure of the of the total grant award in the amount of \$2,654,000.00
From: The Commonwealth of Massachusetts MassWorks Program
To: City of Brockton Planning Department MassWorks Program Grant Fund.
32. Ordered: Acceptance and expenditure of the total grant award in the amount of \$275,000.00
From: The Executive Office of Public Safety and Security-FY2021 Municipal Police Services Staffing Grant
To: The Brockton Police Department-FY2021 Municipal Police Services Staffing Grant Fund.
33. Resolve: To Discuss Reviving Cultural Affairs and Tourism in The City Of Brockton. Be it resolved that Bill Hogan-President of The Downtown History Museum of Brockton be invited to the next Finance Committee meeting to discuss plans to help revive the cultured affairs and tourism group in the city of Brockton in the year 2021.
34. Resolved: To invite Ms. Michelle St. James, JD, Grant writer for the Brockton Police Department, to appear before the standing committee on Public Safety, to discuss the various grants and other funding obtained to address city issues, including without limitation, crime prevention, youth services, gang violence, and traffic safety, and in particular, to forecast the funding that will be available for such programs and endeavors in FY 22.

Councilor's Recognition

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.