

14.

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

A regular meeting of the City Council was held on Monday February 8, 2021 via Zoom. President Farwell presiding. The meeting was called to order at 7:00 PM with eleven members present.

Councilor Eaniri asked for a moment of silence for the passing of a well-known educator in the City, Donald Pike who was a life-long resident of Brockton and had been working as a teacher and assistant principal for Brockton Public Schools. His son Christopher also works in the Assessor's office.

President Farwell expressed condolences on behalf of the Council to Councilor Nicaastro for the passing of her cousin, Robert Dorn, and the family of former Brockton High School custodian, John Paziali.

56 Acceptance of the Minutes of the January 25, 2021 City Council meeting

Accepted and placed on file

57 Communication from the Mayor notifying the City Council that Lucia Cerci of 118 Wilson Street, Brockton, MA has resigned from the Conservation Commission.

Accepted and placed on file

APPOINTMENTS

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

Referred to Finance

REPORTS

59 Of the Ordinance Committee for its meeting on January 28, 2021

Accepted and placed on file

60 Of the Finance Committee for its meeting of February 1, 2021

Accepted and placed on file

HEARINGS

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)

15.
HEARINGS (CONT'D)

The hearing was held later in the meeting.

Attorney Jay Creedon and Jose Monteiro appeared in favor.

Attorney Creedon said that he has been working with Councilor Thompson and the Fire Deputy Chief Williams on this transfer and there are 21 stipulations that are being requested of his client, that have been signed off on. He believes the initial inspections were made and they were satisfied. The applicants are residents of Brockton for over 20 years.

Councilor Thompson stated he met with Deputy Chief Williams at the location regarding his concerns. He spoke to Attorney Creedon about the stipulations and motioned to make the stipulations part of the record and was properly seconded.

Stipulations:

1. Applicants agreed that at all times during the term of this license the businesses they operate will comply with all city state federal laws and regulations.
2. Hours of operation 7:30 AM to 6PM Monday through Friday, 7:30 AM to 3PM Saturday. Closed Sunday and legal holidays.
3. Hours of operation will be posted outside using a minimum of 2-inch letter.
4. All outside storage of motor vehicle part and byproducts is prohibited.
5. All vehicles associated with this business must be parked on the licensed property.
6. No vehicles associated with this business should be parked anywhere else without annexing location to license.
7. All vehicle repair must be performed inside of building.
8. It is acknowledged that the licensed location will apply for a used car license for 4 vehicles which have been accounted for in the schedule of parking spaces below.
9. No other business's that would increase motor vehicles parked at the property may be operated at this location without amending this license. (i.e. Motor Vehicle rentals)
10. The parking lot contains spaces for 11 cars, one being a handicap vehicle.
11. 3 employee spaces
12. 2 Transient Customers spaces
13. 1 Vehicles awaiting repair or pick up spaces
14. 4 Used Car (if used car license is granted)
15. All spaces shall be identified with a sign indicating use.
16. Vehicles should not be parked where lined spaces are not marked.
17. No wrecked, damaged, dismantled, motor vehicles are allowed to be parked or store outside at any time.
18. Any dumpster will be properly fenced per ordinance or stat laws or regulations and shown on plan provided with the application.
19. Vending machines including air compressors will not be placed outside the building.
20. Upon Acceptance of this license, the applicant/License holder acknowledges that any violation of the conditions set forth above is punishable by a fine of \$360 per offence per day, and will be reason for revocation of this license.
21. The applicant/License holder acknowledges the following is an un-official copy of the City of Brockton Ordinances relative to MVR Licenses. Other laws, ordinances and regulations may apply.

Motion carried by a roll call vote taken by "yeas" and "nays"; ten members present with ten voting in the affirmative. Councilor Eaniri absent.

No one 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 Eaniri absent.

16.
COMMUNICATIONS

- 61** 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.

Accepted and placed on file

- 62** 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.

Accepted and placed on file

- 63** 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.

Accepted and placed on file

- 64** 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.

Accepted and placed on file

- 65** 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.

Accepted and placed on file

- 66** 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.

Accepted and placed on file

- 67** 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.

17.
COMMUNICATIONS (CONT'D)

Accepted and placed on file

- 68** 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.

Accepted and placed on file

- 69** 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.

Accepted and placed on file

- 70** 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

Accepted and placed on file

- 71** 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.

Accepted and placed on file

- 79** 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.

Accepted and placed on file

UNFINISHED BUSINESS

- 458** 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)

Councilor Cruise stated the best part of this ordinance will take the subjective approach for the police out and will be scientific using a decibel meter that would be measurable.

18.
UNFINISHED BUSINESS (CONT'D)

Councilor Asack asked for a reverse roll call vote.

Councilor Cardoso voiced her objection to this ordinance. She feels the folks in this community have been through a lot and questions the timing of this and talking about fining residents. She said there were emails received that articulated their position on why this is not a good ordinance and that it is not culturally sensitive. She asked for her counselors to vote no on this.

Councilor Rodrigues said that he will vote against this because he feels it fails miserably with dealing with issues that we have. He disagrees with the decibel level that was proposed stating that 60 decibels make no sense in a city. Councilor Rodrigues said that this ordinance in similar communities does not work and is not enforced. He believes the community will be hurt by this ordinance since it does not take into consideration the diversity of our community.

Councilor Thompson said he is supporting this ordinance. The residents are expecting from this Council to enact a clear and enforceable noise ordinance. He summarized the points of the ordinance, including time limitations. He said the police will use a properly calibrated sound meter from a distance of 50 feet from a property line of the sound source and is applicable to all residential and commercial zones. There is a warning for a first offense in writing and within 7 days the warning would be sent to the property owner. Subsequent violations within a 12-month period would carry a \$300 fine. He believes the ordinance is clear on what noise is restricted and when it is restricted and lays out a clear and objective standard for enforcement. Councilor Thompson will file a resolve in the fall to follow up on the effectiveness of this ordinance and make any adjustments, if necessary.

Councilor Nicastro said she gets a lot of calls from residents relating to noise. She said she has heard from residents who have been threatened and had property damaged over asking for neighbors to be quieter. She does not see this ordinance as something that discriminates. Councilor Nicastro said she is in support of this ordinance and has spoken to the grant coordinator about getting grant money for decibel meters.

Councilor Lally said from going door to door talking to people that many people want something done about noise and this is the first real attempt to adjusting the ordinances. He said this is not a race specific issue. He believes the plan in place with this ordinance and following up in the fall is the best way to proceed.

Councilor Monahan said this has nothing to do with different communities, but more to do with issues in the city. Last year was a fireworks haven in the city. He said that we need something since things are out of control. If anyone wants to make changes like higher decibel level or further distance, they should offer those up.

Councilor Eaniri said he is in support of this ordinance. He said this is for all residents and not targeting certain individuals. He said we have to find a way to control this. He thinks Councilor Thompson did a good job writing this. He would also like to see something done next about traffic and speeding and reckless cars.

Councilor Asack knows that Councilor Thompson has worked hard on this. She reminded all that there is already an ordinance about noise in the books and this just gives a tool to measure the noise and help enforce the ordinance. She said she is in support of this and expects to review this again in the fall.

Ordained, as amended, by a roll call vote taken by “yeas” and “nays”; eleven members present and nine voting in the affirmative. Councilors Cardoso and Rodrigues voted in the negative.

19.

UNFINISHED BUSINESS (CONT'D)

Councilor Nicastro motioned for reconsideration in the hopes that it not does prevail and was properly seconded. Motion failed by a roll call vote taken by “yeas” and “nays”; eleven

members present with two voting in the affirmative. Councilors Asack, Cruise, Eaniri, Farwell, Lally, Mendes, Monahan, Nicastro and Thompson voting in the negative.

- 562** 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)

Councilor Cruise said there was a scrivener’s error and the word should be display, not displace.

The amendment passed by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

Passed to a third reading, as amended by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

- 14** 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)

President Farwell questioned whether the number of licenses was addressed. Councilor Cruise said that this includes a total that shall not exceed 14 licenses and that once every license is issued, applications will not be accepted. The thought process of the committee was that since there were 14 host agreements issued with no provision on how they would be taken in order and since they have accepted more applications than available licenses that would put the Council in a position to deny licenses and didn’t think that was fair.

Councilor Eaniri said he was going to vote against this because he does not believe the City needs 14 licenses. There has been a lot of confusion over how many licenses are available. He has been doing his own research and this was originally passed in 2016 and now in 2021 we don’t know which direction we are going. He believes they should be looking for other things like cultivation and manufacturing that would add jobs to the City.

Councilor Asack said she does not object to adding licenses but wants to make sure they are doing the right thing. She had some concerns that were not addressed in the amendment. She said the amendment was necessary due to the number of host agreements exceeding the number of licenses. She feels this amendment will almost double the number of original licenses that were originally passed. Councilor Asack said she asked the attorney if legal verbiage could be put into the amendment to guarantee that

UNFINISHED BUSINESS (CONT'D)

if the number is increased that the licenses would be available to the applicants that already holding host agreements. Councilor Asack said they don't know if the Mayor will issue new community host agreements and language should be included relating to this.

Attorney Resnick said the only information before the full Council is what the Ordinance Committee approves and that language was not approved by the Ordinance Committee which is why it is not included. The issue with that the marijuana license application ordinance is intended to be lifelong and that language would not be recommended. The only way new applicants would be available would be if new host agreements were issued by the Mayor. Councilor Asack said there is no language saying the Mayor must stop issuing host agreements. Attorney Resnick said that shouldn't be included as that would take away an executive function that the CCC has designated within his capacity as the contracting authority for the City.

Councilor Asack asked who is keeping track of all host agreements that have been issued. Attorney Resnick said there have been 13 host agreements that were given extensions for a period of three years. City Solicitor Bridges has sent a draft to the 14th applicant with no response.

Councilor Asack asked if this were to pass, how would this affect the 14th applicant. Attorney Resnick said since there were 14 host agreements, there would be 14 licenses to issue if the amendment carries. Councilor Asack asked for clarification that there would be nothing Council to do to prevent the issuances of new host agreements to which Attorney Resnick answered that she would advise against this but it can be considered when granting a license.

Councilor Mendes believes that the number should be increased. She asked if the amendment addresses the zoning aspect. Attorney Resnick said zoning still applies through a separate ordinance. To change this, an amendment would need to be done on the second ordinance, which would be a longer process.

Councilor Cardoso said the language from the ordinance meeting was not read. Attorney Resnick said the original ordinance is what would be read. The amendment would need to be voted on.

Councilor Cardoso said that on November 5, amendments were introduced to the Ordinance Committee that addressed equity in this industry. This was part of a citizen ordinance drafted by Jamal Braithwaite and Ian Woods, which they still plan to bring to the committee. She said she would like to see added to the amendment language stating that 4 licenses will be reserved for social equity applicants. Attorney Resnick said the ordinance could be amended for priority, but not guarantee any applicants.

Councilor Cruise asked for an explanation of the difference between the use of priority vs. guarantee. Attorney Resnick explained that priority would be if an applicant was ready to be reviewed, it would be reviewed first.

President Farwell asked to focus on the current amendment at this time.

Councilor Nicastro said she is concerned about the number of licenses. She would prefer the total to be around 11 or 12. This is an untested industry in our community and they do not know what the impact of these businesses on the community will be.

Councilor Lally said he is disappointed by the entire process. He said Brockton has been slower than the average city in assembling the ordinances and getting these applicants before the Council. He said his constituents in 2016 were not jazzed about 8 licenses and would now not want 14. Councilor Lally said the Mayor chose to issue more host agreements than the number of licenses that were available, based on the limit set by the Council. He said he is not in favor of expanding the number of licenses and he is not happy that this continues to drag on. We can not be economically competitive if it takes five years to do this, where other communities can do it in 8 to 12 months.

21.
UNFINISHED BUSINESS (CONT'D)

Councilor Rodrigues said they were given a flawed system to begin with and they owe it to the taxpayers to fix this. The success of these businesses is not the function of the Council. The job of the Council is to make sure that the laws that are passed are fair

across the board. He continued that when the previous administration issued 10 host agreements, there was not a single minority from the City included in that group. Councilor Rodrigues said when he was Mayor, he tried to balance the system by issuing host agreements to four applicants of color. He said there are smaller communities in Massachusetts that have a lot more than 14 marijuana licenses. He continued that the way the Council is handling these licenses cries out discrimination. Councilor Rodrigues referred back to the noise ordinance, and wants to make sure it is equitably applied the same way for all. There were 14 host agreements that were told they have some expectation of getting a license.

President Farwell said that of the six licenses issued, he believed three were issued to minorities. He asked the receipt of a host agreement carry a guarantee that you are entitled to a license. Attorney Resnick answered that the issue is currently being challenged in Taunton and the courts have not weighed in yet. The CCC made it clear there are two separate processes which municipalities are allowed to do, the licensing process and host community process. In her opinion a host agreement does not entitle any applicant to a license, but this is currently being challenged in court.

Councilor Thompson said that he appreciates the effort in working on this ordinance, but this process has not been a smooth process and now it's become an issue of fairness. He believes they should either change the current ordinances to address the situation or face litigation. He said it is only fair to everyone who currently holds a host agreement to be given a chance to get a license. The market will decide who has the best shop. Councilor Thompson asked what prevents the Council from getting back to the same exact situation if in the future more host agreements are issued. Attorney Resnick agreed that as soon as the current 14 applicants are reviewed there would be no additional hearings. She continued that, assuming all 14 open their businesses and stay open, there is language in the host agreements and licenses that designate reasons why a license could be revoked, suspended or forfeited. You would see another hearing if one lost their license. Attorney Resnick was concerned because the CCC had language that had been used straight from the regulations as to what the Council could do. There are specific guidelines to follow to limit licenses. Councilor Thompson asked that if a license holder does not open up within a requisite period of time or if a license is revoked, then would a license become available and the Mayor could extend a host agreement to pursue that license to which Attorney Resnick answered yes.

Councilor Cruise said there are a few things to think about. First, people should not be hung up on the number 8. That number was arrived at by taking 20% of current liquor licenses, based on the CCC mandate. The CCC did keep changing the rules and they were trying to do what the CCC mandated. The City ended up with 14 host agreements, but they are not guaranteed a license. Councilor Cruise agrees that this is a matter of fairness at this point and they should take away the fact that this is about marijuana. In his opinion, this business should be treated similar to liquor licenses. The public will decide who will be successful or not and the neighborhoods have been protected by putting in zoning criteria on where they can be. Councilor Cruise said they did as much as they could and as well as they could when the ordinance was written, but things have changed and they continue to change. He believes this should be voted on as a matter of fairness and taking care of the taxpayers.

Councilor Asack wanted to clarify if there was language about when the licenses should be up and running. Attorney Resnick said there is not and its not in the host agreement either. The expectation is that they have to use reasonable efforts to open their doors. She continued that the people who have the authority to bring the license holder in to show these efforts is the License Commission by way of a hearing and they would notify the

UNFINISHED BUSINESS (CONT'D)

Council of this action. Councilor Asack said that she wants the businesses to be successful, so that money can be brought into the City. She does not want to set up a business to fail and thinks this should be considered.

Councilor Lally said that limited the number of licenses is not an act to spite the free market. We want the businesses to be successful and sometimes they need to be regulated. He said our business communities needs to be diverse and that they are fine where they are. He said the biggest question is who sets the rules, the Mayor or the Council.

The amendment passed by a roll call vote taken by “yeas” and “nays”; eleven members present and eight voting in the affirmative. Councilors Asack, Eaniri and Lally voted in the negative.

Passed to a third reading, as amended by a roll call vote taken by “yeas” and “nays”; eleven members present and ten voting in the affirmative. Councilor Eaniri voted in the negative.

- 27 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)

Councilor Cardoso said this ordinance is almost laughable and does not know why this was introduced. There is a diversity commission and that is what it should look like. This should not be members of this Council that have shown they have no clue what diversity and inclusion mean. She asked the councilors to table this or vote no on this. Councilor Cardoso continued that the Mayor needs to reappoint members for the expired terms. There is currently a community justice task force that is collecting information in the community regarding equity and they could report to the Diversity Commission. Councilor Cardoso said she would not sit on this committee.

Councilor Eaniri pointed out that he is a councilor that understands equity, inclusion and diversity. He said represents all the people regardless of color and creed and is tired of listening to these comments at every meeting. He said it will be a tough year and they all need to work together.

Councilor Asack said she cannot support this since there already is a diversity commission.

Councilor Rodrigues believes this was not explained properly and that this branch needs to take diversity and inclusion seriously and the Council should have a committee for this. The Diversity Commission, that is made up of citizens, can look at the issues but the laws are designed by the Council. He believes the two groups can work together ensuring there is a real committee in the books.

Passed to a third reading, by a roll call vote taken by “yeas” and “nays”; eleven members present and six voting in the affirmative. Councilors Asack, Cardoso, Eaniri, Lally and Mendes voting in the negative.

- 72 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)

UNFINISHED BUSINESS (CONT'D)

Passed to a third reading, by a roll call vote taken by “yeas” and “nays”; ten members present and all voting in the affirmative. Councilor Eaniri absent.

- 626** 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)

Councilor Asack said she was contacted by constituents that believe this is a huge increase and she cannot support this.

Failed passage to a third reading, by a roll call vote taken by “yeas” and “nays”; eleven members present and five voting in the affirmative. Councilors Asack, Cardoso, Farwell, Lally, Mendes and Monahan voting in the negative.

- 41** 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)

Confirmed by a roll call vote taken by “yeas” and “nays”; eleven members present and all voting in the affirmative.

- 52** 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)

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

- 53** 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)

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

- 54** 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)

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

ORDERS

- 73** 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.

Referred to Finance

- 74** 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

24.
ORDERS (CONT'D)

City owned Corcoran Building, 308 Montello Street, Brockton, MA, to advance the redevelopment of this site.

Referred to Finance

- 75** 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.

Referred to Finance

- 76** 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.

Referred to Finance

- 77** 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.

Referred to Finance

- 78** 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.

Referred to Public Safety

Councilor's Recognition

Councilor Thompson said he had difficulty maintain connection and asked what happened regarding the hearing.

Councilor Nicastro said that last week a fourth-grade teacher at the Raymond School named Betsy Doyle listened during her zoom teaching and when she heard one of her students say they smelled smoke, she told the child to get everyone out of the house and called 911. She wanted to applaud her quick thinking as she potentially saved lives. She stated she will be issuing a citation to her.

Councilor Rodrigues said he is concerned about doing these zoom meetings for over three months, and have gotten to the point where they should go back to Council Chambers and this should be considered. President Farwell said agrees and this is going to be looked into this week.

Councilor Mendes reminded all that the Accounts Committee will be meeting Tuesday, February 16th 2021 at 5:30pm via zoom.

Councilor Asack informed that BCA has a new channel, #1072. She said there are a lot of good things going on in the City, including the filming of "Don't Look Back." The Enterprise has several pictures taken during this production.

25.

COUNCILOR'S RECOGNITION (CONT'D)

Councilor Lally stated that he agreed with Councilor Rodrigues about the zoom meetings and, to Councilor Rodrigues, if there needs to be something done, he would cosponsor a resolve for this.

Councilor Asack said, regarding bringing meetings back to Council Chambers, that there is funding to cover the custodians and police details through COVID Cares Act funding.

President Farwell said it is important that everyone respects the work that they do, but it is very important as adults to accept opposing viewpoints and votes and not ascribe those opposing views as bias or prejudice. He believes all Councilors do their due diligence, but Councilor Cruise made a good point when he said to take charge of the meeting. President Farwell said he is not going to allow sniping or backbiting in public comments and if it occurs, he has no proper turning off someone's microphone or will rule someone out of order. The Council will not be respected with all of the cross comments that have been occurring.

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.

Meeting adjourned at 9:04PM