

REPORT – ORDINANCE COMMITTEE
December 1, 2022

The Standing Committee on Ordinances and Rules to which was referred the following reports as follows:

#1 on agenda

having considered the same, report REFERRAL back to CITY COUNCIL with hope to refer the matter to the City Council subcommittee on Equity, Diversity and Inclusion by Motion of Councilor Thompson, 2nd by Councilor Minicheillo.

#2 on agenda

having considered the same, report POSTPONED by Motion of Councilor Thompson, 2nd by Councilor Mendes.

#3 on agenda

having considered the same, report FAVORABLE by Motion of Councilor Thompson, 2nd by Councilor Asack.

#4 on agenda

having considered the same, report POSTPONED by Motion of Councilor Asack, 2nd by Councilor Farwell.

#5 on agenda

having considered the same, report POSTPONED by Motion of Councilor Farwell, 2nd by Councilor Thompson.

MINUTES – ORDINANCE COMMITTEE
December 1, 2022

The Standing Committee on Ordinances and Rules was called to order at 6:17 p.m. by Councilor Farwell, Mendes, Minichiello and Thompson present and Councilor Asack participating remotely for items 1 and 2.

Agenda read into the record.

The Committee first considered the following:

#1 on agenda

Comments by Councilor Farwell

(Jacqueline unable to attend, thanks Councilors Thompson and Minicheillo re complaint review concerns, valid points, prepared amendment)

Motion by Councilor Farwell to amend to add “The commission shall not investigate or adjudicate any complaint(s). However, the commission may refer any person to the appropriate agency responsible for reviewing matters involving alleged discrimination.” 2nd by Councilor Mendes.

On the Motion:

Comments by Councilor Thompson

(going over the issue the last couple of days, concern re opportunity to fix current board, Mayor just made recent appointments and reappointments, could be address by mayor, council has its own subcommittee on diversity and inclusion, wants to make recommendation that council subcommittee meet, HR, mayor, current committee, effort to fix current commission before it gets thrown out and replaced

Comments by Councilor Asack

(agrees with Councilor Thompson, before we re-write this ordinance, if we could take a look to have the committees come together with the Mayor’s office, let’s review it, talk to committees involved, see if there is another way before rewriting ordinance)

Comments by Councilor Minicheillo

(wants to see if current commission is repairable, doesn’t like the message, that this board is eliminated, wants to take a closer look to see if the board can be repaired, back door way of getting rid of the group, wants to hear from them, if needed, then would be in favor of this)

Comments by Councilor Mendes

(likes this the new commission, expands to a new level, good to hear from other members, at some point we need to expand on what the commission can do, does agree need to look at current board)

Comments by Councilor Minicheillo

(wants to hear from the commission to hear everyone's perspective, this ordinance is wonderful, can enhance the current commission)

Comments by Councilor Thompson

(subcommittee to specifically look at diversity, equity and inclusion of the council that can take time to look at this, make recommendations, some parts of the existing member would be eliminated, membership, let subcommittee and mayor weigh in, feedback)

Comments by Councilor Farwell

(does not disagree, filed out of frustration, minutes not filed, not problem soliciting the mayor, not looking for this to be turned into a circus, holdover members, looking to make new things a little better, no matter to refer to council to refer to subcommittee)

Councilor Farwell withdraws motion to amend.

Comments by Councilor Nicastro

(did some research, looked at human rights commission for cities, broader umbrella is better for Brockton, feels what we have now is not working, we can do so much more, feels like it might be kicking the can, can ask for recommendations from a different committee, recommends postponement, thinks a human rights commission is the right thing)

Comments by Councilor Farwell

(could postpone to invite the Mayor in)

Comments by Councilor Thompson

(not a disagreement that Brockton would be well served with this new commission, mirrors lots of language from existing commission)

Motion by Councilor Thompson to refer matter back to City Council with hope to refer to Subcommittee on Equity, Diversity and Inclusion, 2nd by Councilor Minicheillo.

On the Motion:

Comments by Councilor Farwell

(it didn't work because the chair didn't call a meeting, wanted to give the Mayor an opportunity to make this new commission, concerned about creating a circus)

Comments by Councilor Thompson
(replacement of chair?)

Comments by Councilor Farwell
(difficult, good question to ask if it goes to the subcommittee)

Motion carried unanimously.

Next the Committee considered the following:

#2 on agenda

Comments by Councilor Thompson
(re postpoing)

Motion to POSTPONE until the next Ordinance Committee Meeting by Councilor Thompson,
2nd by Councilor Mendes. Motion carried unanimously.

Next the Committee considered the following:

#3 on agenda

Comments by Councilor Thompson
(re postponing)

Comments by Donald Karp
(employee, Brian Barker unable to attend, mission to save taxi industry in Brockton, only taxi company in the area, only one that works 24/7, tax cab is an important part of the infrastructure of the city, price increase, cannot believe the city council is in charge of this, only private industry that City is in charge of setting prices, meter set 3 prices, 1 is pickup charge, cost to send the vehicle, 2 is mileage, which is every 1/7 of a mile, 3 wait time, which is a lower rate, no change to wait time, last change was in 2008, UBER raises daily, at busy time it goes up)

Comments by Councilor Thompson
(re ordinance price changes, increase to \$3.60 for the pickup charge)

Comments by Donald Karp
(corrects the charges)

Comments by Councilor Thompson
(local company, local driver, service Brockton wants to continue, understands need)

Comments by Councilor Asack
(expresses thanks, residents use the taxi service)

Comments by Councilor Thompson
(safety shield, came before the ordinance committee last term, understanding at the time ¼ of fleet required to have safety shield, reduced to 1/8th of the fleet, which is 1 vehicle)

Comments by Donald Karp
(ineffective, calls come through dispatcher, to a specific address, danger has been minimized, cars have changed, mostly bucket seats now, drivers don't want to drive it, and customers don't want to use it, cab sitting in a parking lot doesn't make any money, wants to make it voluntary, high maintenance item, average call is \$10, which gets split between company and driver, need to deal in volume)

Comments by Councilor Thompson
(not required for ride shares)

Motion to recommend FAVORABLE by Councilor Thompson, 2nd by Councilor Asack. Motion carried unanimously.

Next the Committee considered the following:

#4 on agenda

Motion by Councilor Asack to waive reading of the item, 2nd by Councilor Mendes. Motion carried unanimously.

Comments by Councilor Farwell
(re work by the working group, supported by the Mayor)

Comments by Solicitor Bridges
(priority for Mayor's administration, code enforcement opportunity, main difference other than stylistic changes, this new version creates chief of IDS that works under superintendent of public properties, code enforcement is spread out, no single authority, need for central place, creates deputy inspector of buildings who would work under superintendent of buildings, an ordinance employee, serve for a term of 3 years, gives criteria, need to support personnel in building department because of the variety of work that comes into that department, board of health employees report to Mr. Plouffe because of the knowledge skill and background on code enforcement)

Comments by Councilor Farwell
(work in progress, waiting on finished product)

Comments by Deputy Chief Williams

(been doing code enforcement for a few years, works well with police departments, board of health, building department, etc, supports, need to give superintendent of buildings the help to accomplish this, need to do better, quality of life team operating)

Comments by Chief Nardelli

(will allow Mr. Plouffe to do his job and delegate, body to help with inspection services, boom in city, zoning variances and special permits, working group is making great progress)

Comments by James Plouffe

(stretched thin, public property staff, custodial staff, building department staff, no senior member, inspectional service 6-8 inspectors anticipated, mayor funded deputy position, pay scale not in ordinance yet, help on day to day)

Comments by Councilor Asack

(really great idea, in support of this from the beginning, need a few more meetings)

Comments by Councilor Thompson

(opportunity to become more efficient)

Comments by Solicitor Bridges

(more code enforcement, comments re practical performance of the departments, streamline of process)

Comments by Councilor Farwell

(not getting the job done)

Comments by Councilor Thompson

(re residency waiver preference, better reform larger discussion)

Comments by Councilor Mendes

(great step in right direction, lack of communication between departments, thanks group for the work they have been doing)

Comments by Councilor Minicheillo

(streamline for consumer, a lot of organizational work, going to improve quality of life, tool to incorporate all of this, will take time)

Comments by James Plouffe

(this would be a great start)

Comments by Councilor Asack
(exciting, biggest complaint has been code enforcement)

Motion to POSTPONE by Councilor Asack, 2nd by Councilor Farwell. Motion carried unanimously.

Comments by Councilor Thompson
(sharing work product)

Comments by Councilor Farwell
(re law departments help, legislative counsel to review)

Next the Committee considered the following:

#5 on agenda

Comments by Councilor Farwell
(re postponing as well)

Comments by Councilor Thompson
(wage assignment for deputy inspector of buildings)

Comments by James Plouffe
(wage of funded budget was the same range of assistant department heads,
funding exists but not wage assignment)

Motion to POSTPONE by Councilor Farwell, 2nd by Councilor Thompson. Motion carried unanimously.

Motion to adjourn by Councilor Asack, 2nd by Councilor Thompson at 7:57 p.m.

The meeting was adjourned at 7:57 p.m.