

**CITY OF BRIDGEPORT
ORDINANCE COMMITTEE
SPECIAL MEETING
JUNE 28, 2012.**

ATTENDANCE: Richard Paoletto, Lydia Martinez, Council President Thomas McCarthy, Richard Bonney

OTHERS: Council Member Susan Brannelly, Council Member Angel dePara, George Estrada, Charter Review Vice Chair; Ruben Felipe, Charter Review Committee; Cathleen Simpson, Charter Review Chair;

STAFF: Atty. Steve Mednick; Atty. Ed Maley; Atty. Mark Anastasi

CALL TO ORDER

Council Member Paoletto called the meeting to order at 6:17 p.m. A quorum was present.

97-11 Proposed Charter Revision Report

Atty. Mednick said that based on the previous meetings, he had prepared a document that he hoped that would contain all the recommendations that the Ordinance Committee would approve for the Council. Following that, it will be referred by the Council back to the Charter Commission for finalization. He then reviewed the remaining steps that would result in a final report for approval at the August Council meeting with those present.

Council President McCarthy said that the goal for this evening was to create a list of the changes that the Council wants to include and vote on the proposed revisions. Atty. Mednick agreed. Council President asked what would happen if the Council did not meet the 15 day deadline. Atty. Mednick said that the Charter Commission would have to start all over again. Council Member Bonney asked what would happen if the Council did not pass the final draft. Atty. Mednick gave an overview of the process, and explained how the Council could vote on part of the Charter. Discussion followed.

Council Member Baker asked if Council Members that were not present at this meeting could add amendments from the Council floor. Council President McCarthy reviewed the process and encouraged everyone who had changes from the floor to email the other Council members in advance.

Atty. Mednick then distributed copies of a document "'Ordinance Committee of the City Council - City of Bridgeport - Report and Submission of the Charter Revision: Recommendations for Further Consideration by the Commission, June 28, 2012"

**** COUNCIL PRESIDENT MCCARTHY MOVED TO ENTER THE DOCUMENT TITLED "ORDINANCE COMMITTEE OF THE CITY COUNCIL - CITY OF BRIDGEPORT - REPORT AND SUBMISSION OF THE CHARTER REVISION: RECOMMENDATIONS FOR FURTHER CONSIDERATION BY THE COMMISSION, JUNE 28, 2012" AS EXHIBIT #1 - 06/28/12.**

**** COUNCIL MEMBER MARTINEZ SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Atty. Mednick then reviewed the details listed in the document.

A discussion followed regarding the second sentence in Section 4.A regarding resident that moves out of either a district or the city while holding a position on a Board or Commission. Council President McCarthy expressed concerns about this. Atty. Anastasi said that when this has occurred in the past, the former resident simply did not show up at a meeting but also added they often did not tend a letter of resignation.

Council Member dePara had some questions about the details in Chapter 3, Section 10. Atty. Mednick will review the section to ascertain why the Fire Chief was included but not the Police Chief. Discussion followed about the fact that the Fire Chief was involved in approving the condemnation and demolition of buildings. Discussion followed.

A question was raised about which offices should require bonding. Atty. Mednick said that the list of the officials had been moved to the ordinances. Atty. Maley said that he thought when this list was created, the identified positions were those who handled cash.

The discussion then moved to a section that addressed notification of officials when the Mayor is out of town. The group agreed that if the Mayor was out of State for more than 24 hours, the Council President should be notified. Discussion followed about whether this should be extended to having the Council President notifying the Council President Pro Tem.

Council Member Brannelly had some questions about Chapter 3, Section 2 which Atty. Maley and Atty. Mednick reviewed with her.

The Committee and those present returned to Chapter 3, Section 11.B to review the language in the Section.

Atty. Maley then directed everyone's attention to Chapter 4 where he had one technical change in Section 4 C(3). He explained that in Emergency Expenditures, a hierarchy had been set up. In the event that the Mayor could not call the Council together for an emergency expenditure, he would be authorized to spend up to 1%, this sentence included a parenthetical phrase that was unnecessary.

Discussion followed about why the percentage was chosen. Council Member Bonney pointed out that the number of times that the Mayor could do this. Atty. Anastasi pointed out that there was a General Statute definition of the term "emergency". He pointed out that currently, there was no limit on the amount that the Mayor could spend in an emergency.

The discussion then moved to when the Council would be called in to an emergency meeting within 24 hours. Mr. Estrada reminded everyone that when a tanker exploded on I-95 and destroyed the Howard Avenue Bridge, all the firefighters and police officers were immediately called back into work. In a catastrophic situation, often the contractors are called on site with the understanding that there would be a time to settle accounts later.

Council Member dePara had questions about the language around setting up a contingency fund. Atty. Mednick explained that the key word was "may" and that while it would be prudent to do so, the City was not required to do so.

Council Member Brannelly asked for clarification on Chapter 4, Section 2 regarding items that might result an appeal to the Superior Court. Atty. Mednick said that he believed that the distinction was that the City did not want to have the Mayor sitting on a quasi-judicial board as an Ex-officio. Discussion followed.

Atty. Mednick indicated that a new subsection would be added in Chapter 5 and gave an overview of the proposed language.

Atty. Maley directed everyone's attention to a subsection in Chapter 5 that appeared to prevent the sitting council members from representing the Council on other boards (i.e. Airport Commission).

Discussion followed about the Council President and Council hiring and/or firing the Legislative Assistant staff. Atty. Maley pointed out that every legislative body that he was familiar with has the appointed official who appoints his/her staff that serves at his/her pleasure.

Council Member Brannelly had several technical questions about adoptions of ordinances. She asked what kind of process would be followed if a conflict was found in the Charter after the document was adopted. Atty. Mednick said that this was current language.

The discussion moved to the provision of copies of the Charter to Council Members. It was decided to leave the section as is since it current language.

Another question arose regarding the current language in reference to the City employees being on the Council. Atty. Mednick, Atty. Maley and Council President McCarthy then pointed out that this would be superseded by Connecticut State General Statute.

Atty. Mednick noted that there were some substantive changes in Chapter 7. He reviewed the various changes.

Council Member Brannelly had several questions about appointments to the Board of Education and a restriction of not having served in the previous three years. Atty. Mednick then outlined some of the changes regarding the BOE policy making function but prevented them from imposing or interfering with the day to day operations of the BOE.

Council Member Brannelly had a question about a phrase that was confusing. Atty. Mednick said that he would remove it.

Council Member Brannelly had some questions about the terms of BOE appointments. Atty. Mednick said that the Board members involved served at the pleasure of the Mayor and was an on-going Board. Discussion about the details of the language and the requirement for Council approval followed.

The Committee then reviewed the remainder of Chapter 7 and 8.

Council Member dePara thanked the Charter Commission for clarifying the language on page 93 regarding the City Attorney.

Regarding Chapter 9, 10, and 11, Atty. Mednick had no substantive changes. All remaining changes were clerical.

Council Member dePara said that there was a change in terms of how the budget was approved in Chapter 9 where currently it was a super majority and in the proposed section it was a simple majority. Council President McCarthy indicated that a number of the Council Members had concerns about this. Atty. Mednick said that he would change the language back to the 2/3rd majority. Discussion followed.

Council Member Paoletto then asked for the details regarding sheriffs versus constables. Atty. Mednick said that this was addressed in Chapter 6. He explained that there was no language for City Sheriffs in the State, only constables. Council President McCarthy pointed out that the special officers were constables under State law. This may be a conflict. Discussion followed.

Council Member dePara then thanked the Charter Committee for extending the length of time that the Budget and Appropriations would have to review the Mayor's budget. He asked for an extension in the beginning of the cycle. Atty. Mednick made a note of this.

There is an additional typo on page 135 referring to a 14 day period, which should be changed to 7 days.

Due to the number of changes and corrections in the proposed document, Council Member Paoletto said that he would be recessing the meeting and reconvening it on Monday, July 2, 2012. Monday's meeting will be a straight vote on the recommendation. No further amendments will be taken from the committee.

RECESS

**** COUNCIL PRESIDENT MCCARTHY MOVED TO RECESS THE SPECIAL MEETING OF THE ORDINANCE COMMITTEE AND RECONVENE ON 5:00 P.M. ON MONDAY, JULY 2, 2012 BEFORE CITY COUNCIL MEETING.**

**** COUNCIL MEMBER MARTINEZ SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting recessed at 9:30 p.m.

Respectfully submitted

Sharon L. Soltes
Telesco Secretarial Services