

**CITY OF BRIDGEPORT
ORDINANCE COMMITTEE
REGULAR MEETING
MARCH 22, 2022**

ATTENDANCE: Marcus Brown, Co-chair; Rosalina Roman-Christy, Co-chair;
Aikeem Boyd, Jorge Cruz, Michelle Lyons, Ernie Newton

OTHERS: Council Member M. Pereira, T. Gaudett, Mayoral Aide; C. Vickers,
Legislative Aide, City Attorney C. Meyer; Atty T. Toms, L. Haig, OPED
Planning Director; M. Abbott, OPED Planner; Council President A.
Nieves (6:17 pm.), Atty. M. Anastasi (6:17 p.m.)

CALL TO ORDER.

Council Member Brown called the meeting to order at 6:01 p.m. A quorum was present.

APPROVAL OF MINUTES

- February 23, 2022 (Regular Meeting)
- March 7, 2022(Public Hearing)

**** COUNCIL MEMBER NEWTON MOVED TO APPROVE THE MINUTES FROM FEBRUARY 23, 2022 REGULAR MEETING AND THE MARCH 7, 2022 PUBLIC HEARING.**

**** COUNCIL MEMBER CRUZ SECONDED.**

**** THE MOTION TO APPROVE THE MINUTES FROM FEBRUARY 23, 2022 REGULAR MEETING AND THE MARCH 7, 2022 PUBLIC HEARING AS SUBMITTED PASSED UNANIMOUSLY.**

33-21 Resolution presented by Council Member(s) Pereira & Small and Co-sponsor Cruz re: Proposed Amendments to the Municipal Code of Ordinances, amend Chapter 10.32 – The Operation or Use of Dirt Bikes, All-Terrain Vehicles, Snowmobiles, Motor-Driven Cycles, or Mini Cycles.

**** COUNCIL MEMBER CRUZ MOVED AGENDA ITEM 33-21 RESOLUTION PRESENTED BY COUNCIL MEMBER(S) PEREIRA & SMALL AND CO-SPONSOR CRUZ RE: PROPOSED AMENDMENTS TO THE MUNICIPAL CODE OF ORDINANCES, AMEND CHAPTER 10.32 – THE OPERATION OR USE OF DIRT BIKES, ALL-TERRAIN VEHICLES, SNOWMOBILES, MOTOR-DRIVEN CYCLES, OR MINI CYCLES.**

**** COUNCIL MEMBER BOYD SECONDED.**

Council Member Pereira said that they had spoken with Atty. Anastasi at the last meeting about the language in the Ordinance. They had not received any updates from the City Attorney's Office. She pointed out that it was already illegal to operate ATVs or dirt bikes anywhere in the City of Bridgeport as of May 2015.

She stated that the gas stations would be fined if they sell cigarettes or lottery tickets to those under age. This is about gas stations. Selling gas to ATV riders is already violating the law. She spoke about how she had seen riders pop wheelies on sidewalks and perform other dangerous maneuvers.

Council Member Pereira said that there were five gas stations in her district and she was willing to go and give the signage to the gas station owners. She and Council Member Small represent their constituents and take their work seriously. The Police Department wants this ordinance. The City should work with Stratford, Trumbull and Fairfield. Anyone who is riding an ATV or dirt bike is violating the law. She is not interested in representing those who are violating the law.

Council Member Cruz said he was in support of enforcing the law, but this is an opportune time to work out a solution for the brothers and sisters. With everyone's input, they can find a place for the riders. He asked the Committee to hold up on this until they can work out something. There was some dialog before the meeting that was very helpful.

Council Member Newton said that when he's been at the gas stations when people have purchased gas for their bikes. He is worried that the riders will be going to Fairfield, Trumbull or Stratford and be racially profiled. The police came to the Council about this issue. He suggested that the older riders who were present in the audience should speak to the younger riders about the safety issues. He said that the law was already on the books.

Atty. Anastasi and Council President Nieves joined the meeting at 6:17 p.m.

Atty. Anastasi said that because time was of the essence, he suggested that the meeting be recessed to 6:00 p.m. on April 4th.

Council Member Newton said that since they had just received the document, he would like to table the item.

Council Member Brown said that they had first received this item on February 22nd. They had also had a subsequent meeting where this was discussed. However, they had received the legal opinion 20 minutes into this meeting. Atty. Anastasi said that there were some concerns about the private property owners.

Council Member Pereira pointed that Cumberland Farms sells lottery and cigarettes on private property. There are many things that are fined on private property, including blight and illegal sales. The City governs every inch of the City of Bridgeport.

Atty. Anastasi said that there was no law against selling gas to minors. However, this would make the gas station clerks into enforcement officers. The City has to intelligently enforce the rules of the road. The gas station staff are not police officers. Other cities have done this and they need to check with New Haven.

Council Member Pereira said that New Haven had passed the law in 2020. Her law abiding constituents want something done.

Atty. Anastasi said that they were attempting to use third parties as enforcement agents.

Council Member Lyons said that they want to pass something that would be effective, so she did not have any problem with waiting to clarify issues. She asked if the ATV riders need to have motorcycle licenses. She sees many riders who are younger. Whatever the Council does needs to become legally and correctly.

Council Member Roman-Christy said that they should table this item until they have time to research the park in Milford.

**** COUNCIL MEMBER ROMAN-CHRISTY MOVED TO TABLE AGENDA ITEM 33-21 RESOLUTION PRESENTED BY COUNCIL MEMBER(S) PEREIRA & SMALL AND CO-SPONSOR CRUZ RE: PROPOSED AMENDMENTS TO THE MUNICIPAL CODE OF ORDINANCES, AMEND CHAPTER 10.32 – THE OPERATION OR USE OF DIRT BIKES, ALL-TERRAIN VEHICLES, SNOWMOBILES, MOTOR-DRIVEN CYCLES, OR MINI CYCLES.**

**** COUNCIL MEMBER NEWTON SECONDED.**

**** THE MOTION PASSED THE MOTION UNANIMOUSLY.**

23-21 Resolution presented by Council President Nieves & Co-Sponsor Mack re: Proposed Amendments to the Municipal Code Of Ordinances, Chapter 2.06 – Common Council, a mend to add new section(s) 2.06.080 – Legislative Aides for City Council, 2.06.090 – Legislative and Legal Counsel to the City Council and 2.06.100 – Budget Director for City Council.

Council Member Mack came forward and distributed copies of the changes to the Committee Members. He then reviewed the details of the changes with the Committee.

Council Member Newton said that he did want to see these positions as Union positions.

Council Member Lyons said that it would be critical to have the staff sign a confidentiality agreement. She said that she did not want anyone who was political in the positions. Council Member Brown said that the staff would have to know how to route and craft legislation. Council Member Mack said that this would be part of the interview process.

Council Member Pereira said that at the last meeting she had requested a cost analysis including the fringe benefits and other costs. She said it had been mentioned that the Special Project Coordinator had a starting salary of \$71,000 a year. Council Member Mack said that the intention was to pay the individual a fair wage.

Council President Nieves said that they had not received all the information regarding the cost analysis. There are wage ranges between \$36,000 and \$47,000 for a legislative aide. Discussion followed about the cost of living, the need for a legislative aide and other employment aspects. Several Council Members pointed out that their full time employment requires their full attention during work hours and they have very little if any at all time to prepare for the legislative issues.

Atty. Anastasi distributed documents. City Atty. Meyer said that there were several issues with the proposed legislation, including the creation of an office, the creation of an at will employee and Council supervision. The Charter determines what can be done. He suggested that the Committee appoint someone to work with the City Attorney's Office on this.

Discussion followed about the different roles of the administrative and the legislative branches of the City government. Legislative members cannot direct administrative staff.

Council President Nieves said that the Council had been in touch with Civil Service about this, which was first brought forward in January. She said that they have been working on this with Civil Service to make sure they did not violate collective bargaining.

Atty. Anastasi explained that the Council has budgetary and legislative power, but not administrative power.

City Attorney Meyer said that the Charter does not allow the Council to create a non-classified job. Atty. Anastasi said that Bridgeport uses the term "classified" and "unclassified" differently than other towns. Classified employees are Civil Service employees that must be fired for cause. Unclassified employees are at will employees. Unaffiliated employees are appointed individuals.

Atty. Anastasi said that he had previously stated that he would not be writing the legal opinion by himself and that it would be created by the legislative team.

Council Member Newton asked if the Budget and Appropriations could create five new positions. Atty. Anastasi said that they could. Council Member Newton said that he knew that they could do it that way. Discussion followed on the process for choosing a potential law firm to have on retainer.

Council Member Newton reminded everyone that they do have a Department of Legislative Services. Atty. Anastasi said that the Budget and Appropriations Committee would allocate the

positions and then Civil Service would fill the staff. He recommended that the Budget and Appropriations Committee add the positions in during the budget cycle.

Council Member Mack said that the reason that they were concerned about creating the ordinance since it would prevent the staff member from being fired for political reasons.

**** COUNCIL MEMBER CRUZ MOVED AGENDA ITEM 23-21 RESOLUTION PRESENTED BY COUNCIL PRESIDENT NIEVES & CO-SPONSOR MACK RE: PROPOSED AMENDMENTS TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 2.06 – COMMON COUNCIL, A MEND TO ADD NEW SECTION(S) 2.06.080 – LEGISLATIVE AIDES FOR CITY COUNCIL, 2.06.090 – LEGISLATIVE AND LEGAL COUNSEL TO THE CITY COUNCIL AND 2.06.100 – BUDGET DIRECTOR FOR CITY COUNCIL.**

**** COUNCIL MEMBER NEWTON SECONDED.**

It was pointed out that they had a number of documents to enter as exhibits.

**** COUNCIL MEMBER CRUZ WITHDREW HIS MOTION.**

**** COUNCIL MEMBER NEWTON WITHDREW HIS SECOND.**

**** COUNCIL MEMBER NEWTON MOVED TO ENTER A DOCUMENT TITLED 2.06.070 OFFICE OF LEGISLATIVE SERVICES, PROPOSED AMENDMENTS AS EXHIBIT 03-22-22-01.**

**** COUNCIL MEMBER LYONS SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER NEWTON MOVED TO ENTER A DOCUMENT TITLED PROPOSED AMENDMENTS (NEW SECTIONS) 2.06.070 OFFICE OF LEGISLATIVE SERVICES AS EXHIBIT 03-22-22-02.**

**** COUNCIL MEMBER CRUZ SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER NEWTON MOVED TO ENTER A DOCUMENT TITLED OFFICE OF THE CITY CLERK LEGISLATIVE RESOLUTION FORM AS EXHIBIT 03-22-22-03.**

**** COUNCIL MEMBER CRUZ SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER NEWTON MOVED TO ENTER A DOCUMENT TITLED PROPOSED AMENDMENTS (NEW SECTIONS) 2.06.070 OFFICE OF LEGISLATIVE SERVICES AS EXHIBIT 03-22-22-04.**

**** COUNCIL MEMBER CRUZ SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER NEWTON MOVED TO ENTER A DOCUMENT TITLED MARCH 22, 2022 RE: RESOLUTION. 23-21PROPOSED AMENDMENTS TO THE CODE OF ORDINANCES, CHAPTER 2.06 AS EXHIBIT 03-22-22-05.**

**** COUNCIL MEMBER CRUZ SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER NEWTON MOVED TO APPROVE AGENDA ITEM 23-21 RESOLUTION PRESENTED BY COUNCIL PRESIDENT NIEVES & CO-SPONSOR MACK RE: PROPOSED AMENDMENTS TO THE MUNICIPAL CODE OF ORDINANCES, CHAPTER 2.06 – COMMON COUNCIL, A MEND TO ADD NEW SECTION(S) 2.06.080 – LEGISLATIVE AIDES FOR CITY COUNCIL, 2.06.090 – LEGISLATIVE AND LEGAL COUNSEL TO THE CITY COUNCIL AND 2.06.100 – BUDGET DIRECTOR FOR CITY COUNCIL BY SUBSTITUTION.**

**** COUNCIL MEMBER CRUZ SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

RECESS

**** COUNCIL MEMBER BOYD MOVED FOR A 10 MINUTE RECESS.**

**** COUNCIL MEMBER CRUZ SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The recess began at 8:07 p.m. Council Member Brown reconvened the meeting at 8:18 p.m.

35-21 Communication from OPED re: Proposed Resolution Authorizing Administration of Shared Mobility Device Program.

Ms. Haig introduced Mr. Abbott, who distributed a document about the Shared Mobility Program. Ms. Haig said that there were many people who were calling the office about the use of the scooters. She noted that the were removing the word "Pilot" and there would be a fee of .20¢ a ride that will come back to the City as a dedicated fund. Excess revenue will go into improving infrastructure.

Council Member Newton asked if there would be a bidding process. Ms. Haig said that there were two firms that were interested in providing devices. As long as the companies follow the City's guidelines, they are welcomed.

Council Member Lyons asked how many people had been injured and how many lawsuits had been filed. Ms. Haig said that the previous staff member had checked with the Police about this and there were no incidents or lawsuits. Atty. Toms said that the Police had added a special code to track injuries and potential suits.

Council Member Brown asked what the average time that people used the scooters was. Mr. Abbott said that it was about 20 minutes. Council Member Brown asked about the unlocking fee and he was told it was \$1.00.

Council Member Pereira asked how many times the scooters were unlocked. Mr. Abbott said that it was 50,000. She asked how many total minutes it was used in 2021. [Inaudible] The City got \$11,500 for allowing the pilot program. Atty. Toms said that the City was receiving 5%. Ms. Haig said that they were interested in providing this service to the residents and a viable alternative.

Mr. Abbott said about 25% were using the scooters for school and another 25% were using it to get to grocery stores. He added that they could also zone out particular areas where the residents could get a discount.

Council Member Pereira said that she had seen a number of children who were using the scooters without helmets. Mr. Abbott explained that if an adult gives a minor an unlock card, it would violate the company's terms of service. A minimum number of scooters can be assigned to a particular area.

Council Member Boyd asked if they would be riding on the sidewalk or in the street. Atty. Toms said that they had amended the ordinance to allow the scooters and bicycles on the sidewalk. They are working on creating bike lanes. Council Member Lyons said that if they can ride on the sidewalks and streets, the excess funding should go to repairing the sidewalks and street potholes.

Council Member Brown asked what would prevent someone from taking his scooter if he ran into a store to purchase something. It was noted that some riders had brought their scooters into the house or location when they arrived in order to keep the scooter available. Discussion followed.

**** COUNCIL MEMBER NEWTON MOVED TO ENTER THE POSTER AS EXHIBIT 03-22-22-06.**

**** COUNCIL MEMBER CRUZ SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** COUNCIL MEMBER NEWTON MOVED TO APPROVE 35-21 COMMUNICATION FROM OPED RE: PROPOSED RESOLUTION AUTHORIZING ADMINISTRATION OF SHARED MOBILITY DEVICE PROGRAM.**

**** COUNCIL MEMBER CRUZ SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

36-21 Communication from OPED re: Proposed Amendments to the Municipal Code of Ordinance, Chapter 12.16 – Street and Sidewalk Use Regulations, amend Section 12.16.245 – Permit to Use City Streets and Sidewalks for Shared Mobility Program and 12.16.250 – Miscellaneous Acts Prohibited

**** COUNCIL MEMBER NEWTON MOVED TO APPROVE AGENDA ITEM 36-21 COMMUNICATION FROM OPED RE: PROPOSED AMENDMENTS TO THE MUNICIPAL CODE OF ORDINANCE, CHAPTER 12.16 – STREET AND SIDEWALK USE REGULATIONS, AMEND SECTION 12.16.245 – PERMIT TO USE CITY STREETS AND SIDEWALKS FOR SHARED MOBILITY PROGRAM AND 12.16.250 – MISCELLANEOUS ACTS PROHIBITED.**

**** COUNCIL MEMBER LYONS SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** COUNCIL MEMBER NEWTON MOVED TO ADJOURN.**

**** COUNCIL MEMBER CRUZ SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Telesco Secretarial Services