

**CITY OF BRIDGEPORT
ORDINANCE COMMITTEE
REGULAR MEETING
JULY 23, 2024**

ATTENDANCE: Enedia L. Martinez, Co-chair; Aikeem G. Boyd, Co-Chair;
Maria I. Valle; Ernest E. Newton; Jeanette Herron.

OTHER: Maria Pereira, 138th District;

James Maye, City Attorney; Mark Anastasi, City Attorney;
Michael James Jankovsky, City Attorney;
Joseph Estephan, Licensing and Permits;
Jon Urquidi, City Engineer (6:07); John Marshall Lee, Public/Resident
of Bridgeport.

CALL TO ORDER

Co-Chair Boyd called the meeting at 6:01 p.m. There was a quorum present at the time of the roll call.

APPROVAL OF COMMITTEE MINUTES

- **April 23, 2024 (Regular Meeting)**

****COUNCIL MEMBER NEWTON MOTIONED TO APPROVE THE MINUTES OF
APRIL 23, 2024 (REGULAR MEETING).**

****COUNCIL MEMBER MARTINEZ SECONDED THE MOTION.**

****THE MOTION PASSED UNANIMOUSLY.**

40-23 Proposed Resolution concerning the Initiation of a Charter Revision Process for the City of Bridgeport. (Note: this item can be found on the City of Bridgeport's Website: Boards & Commissions; City Council; Meeting Minutes, Agendas & Notices: 2023-2024 Full Agenda Package;2024-02-05pdf)

****COUNCIL MEMBER HERRON MOTIONED TO TABLE ITEM 40-23.**

****COUNCIL MEMBER NEWTON SECONDED THE MOTION.**

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

Council member Newton shared the reason why the item has been table is because there aren't enough submissions yet.

54-23 Proposed Amendment to the Municipal Code of Ordinances, amend to Add New Chapter 2.127 - Civic Engagement Commission.

****COUNCIL MEMBER HERRON MOTIONED TO TABLE ITEM 54-23.**

****COUNCIL MEMBER MARTINEZ SECONDED THE MOTION.**

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

55-23 Proposed Amendment to the Municipal Code of Ordinances, Chapter 12.28 - Park Use Regulations, amend Section 12.28.040 - Parking Restricted within Public Parks. **(Note: Item #'s 54-23 & 55-23 can both be found on the City of Bridgeport's Website: Boards & Commissions; City Council; Meeting Minutes, Agendas & Notices; 2023-2024 Full/Agenda Package; 2024-03-18pdf)**

****COUNCIL MEMBER HERRON MOTIONED TO TABLE ITEM 55-23.**

****COUNCIL MEMBER NEWTON SECONDED THE MOTION.**

****THE MOTION PASSED UNANIMOUSLY.**

113-23 Proposed Amendment to the Municipal Code of Ordinances, amend to add NEW Chapter 10.34 - Municipal School Bus Violation Enforcement System. **(Note: This item can be found on the City of Bridgeport's Website: Boards & Commissions; City Council; Meeting Minutes, Agendas & Notices; 2023-2024 Full/Agenda Package; 2024-07-01pdf)**

Atty. Jankovsky presented the proposal to enact an ordinance to allow civil fines for people who pass school buses. They went into a contract a few years ago with a company that installed and monitored the camera footage but their system was not compatible with the state's system. The company has developed a new software to continue out the contract agreement. This proposal will create two administrators positions within the mayor's office to review the footage and issue the fines. The mayor will have to appoint a hearing officer as the people would be able to contest the violation.

****CITY ENGINEER, JON URQUIDI JOINED THE MEETING AT 6:07 PM****

Council member Newton asked what would be the cost to the fines and if the state would be receiving any percentage of the funds collected.

Atty. Jankovsky replied that if the fine is less than \$250 dollars then the city will not have to pay any portions to the state. To his understanding, as they work with the recording company, they will receive a portion of the funds collected. The police officers are still able to issue moving violations but since it goes through the department of motor vehicles then the state will receive their percentage. The proposed approach will not have police officers involved with the citations.

Council member Newton suggested they can also collaborate with the school crossing guards to report moving violations.

Atty. Jankovsky replied that in the old section the bus drivers were able to fill out an affidavit with information of the motor vehicle, location of violation, and the police could issue a fine. He went on to share that there will be a need for two employees to review the violations and issue the fines. The company was able to find 10,000 violations during the first half of the school year.

Council member Newton added this must be enforced.

Atty. Jankovsky said they have spoke about incorporating the boots if they do not pay the fines but they haven't had a true discussion on it, they need to approve the contract before school begins.

Council member Herron asked who would pay the employees to do the review and issue fines.

Atty. Jankovsky replied Danny Roach has been taking charge of the proposal and operations. Mr. Roach is considering using two existing employees or working with the parking authority.

Council member Herron replied the company should be in charge of reviewing the footage as the city employees are already overwhelmed with work tasks. With all the money the company will be making that is the least they could do.

Atty. Jankovsky replied that the jobs can be done remotely to his understanding.

Council member Pereira said they need to provide the procedures within the ordinance, for example hearing and collection procedures.

Atty Jankovsky said the procedures are in section 7.1.52C.

Council member Martinez suggested this could be something done in the fusion center to review the video.

Atty. Jankovsky replied that if they use a police officer then they will be charged overtime.

****COUNCIL MEMBER HERRON MOTIONED TO APPROVE 113-23.**

****COUNCIL MEMBER VALLE SECONDED THE ITEM.**

****THE MOTION PASSED UNANIMOUSLY.**

71-23 Proposed Amendment to the Municipal Code of Ordinances, Chapter 12.08 - Street, Sidewalk and Driveway Construction and Maintenance, amend Section 12.08.090 - Sidewalk Permit Fee.

Atty. Maye shared that the permit fee will be increasing from \$75 dollars to \$125 dollars.

Mr. Estephan went on to say it was an oversight from last year's permit increase. The increase is on average with the other surrounding local municipalities. This will increase the revenues for the city.

Council member Newton said they have a serious problem with contractors, he asked why don't they even out the paving around the manholes. He used the example of Bishop Avenue.

Mr. Estephan replied he can meet with WPCA on the matter. People can report the manholes and they will be adjusted. There is also the paving program that will be beginning soon.

Mr. Urquidi added they should have all the utility companies out at the same time during the scheduled paving to make everything more efficient.

Council member Newton said they need to hold the contractors accountable.

Council member Pereira asked how the fees are set up and who pays for the permits in regards to the city sidewalk program.

Mr. Urquidi replied the general contractor put out a bid with all the cost included as it is part of their overhead.

****COUNCIL MEMBER HERRON MOTIONED TO APPROVE ITEM 71-23.**

****COUNCIL MEMBER NEWTOWN SECONDED THE MOTION.**

****THE MOTION PASSED UNANIMOUSLY.**

72-23 Proposed Amendment to the Municipal Code of Ordinances, amend Chapter 12.12 - Excavations.

Atty. Maye explained they are looking to add a permit required for public utility companies for emergency excavation. The company will be able to excavate the same day but must apply for a permit the next business day.

Mr. Estephan said he has been conducting an audit regarding the call before you dig contractors and noticed many failed to reach out before operations.

Council member Newton asked how much money was being left.

Mr. Estephan replied it was loosely written so they didn't enforce ordinance, now they can review the repairs and make sure projects are being completed to code.

Council member Newton commended the team on addressing the issues of holding contractors accountable as many take advantage.

Atty. Maye added they also added adjusted chapter 12.12.240 and added another section to increase the fine for contractors who begin work without permits from \$2,000 to \$5,000 dollars, which comes from state statute.

****COUNCIL MEMBER HERRON MOTIONED TO APPROVE ITEM 72-23.**

****COUNCIL MEMBER VALLE SECONDED THE MOTION.**

****THE MOTION PASSED UNANIMOUSLY.**

73-23 Proposed Amendment to the Municipal Code of Ordinances, amend Chapter 12.16 - Street and Sidewalk Use Regulations. **(Note: Item #'s 71-23 72-23 & 73-23 can both be found on the City of Bridgeport's Website: Boards & Commissions; City Council; Meeting Minutes, Agendas & Notices; 2023-2024 Full/Agenda Package; 2024-05-06pdf)**

Atty. Maye explained they will be making an adjustment to section 12.16.210 to require permits for occupations.

Mr. Estephan added they would target utility companies that are setting up sites on the street or sidewalk to do repairs causing obstructions. He stated this is to keep the right of way clear for motor vehicles and pedestrians or create an alternative route for them. They have had quarterly

meetings with the utility companies for the last year and are not responsive when asked what they are doing around the city so this will open up communication between them.

Council member Valle shared they did work around her area and the electrical company left wires in front of a driveway. She wasn't sure if they were active or not.

Mr. Estephan said with this proposal he will know of all the active job sites and have two inspectors that would be able to visit all the sites to make sure everything is in order.

Mr. Urquidi said they are building contacts with the utility companies so that when complaints or reports of faulty wires are seen they will be able to reach out to the direct department needed. If they do not have the correct permits then the job will be shut down.

Council member Valle replied she is really proud of the work they are doing and connecting with the utility companies.

Council member Pereira asked in regards to the existing ordinance in section 12.16.210, why would state they cannot grant a permit if it denies pedestrian sidewalk.

Mr. Urquidi replied they cannot reject pedestrian access. A sidewalk can be closed off but it requires a proper detour.

Council member Pereira asked if the title of the section should be changed to make sense.

Atty. Maye replied the title section does not govern, the body does.

Mr. Urquidi said if you apply for an occupying permit then it is required to accommodate pedestrians.

Council member Pereira asked a question regarding the fee stated in section 12.16.220 as it caused her confusion.

Mr. Urquidi said they can correct it to the city right of way.

****COUNCIL MEMBER NEWTON MOTIONED TO AMEND SECTION 12.16.220 PERMIT TO OCCUPANCY PORTION OF STREET - FEE TO ADD RIGHT OF WAY IN THE SECOND SENTENCE AFTER CITY AND CONTINUE TO READ AS FOLLOWED.**

****COUNCIL MEMBER HERRON SECONDED THE MOTION.**

****THE MOTION PASSED UNANIMOUSLY.**

Council member Herron said there is an ordinance to not allow parking on the sidewalk and there is a big issue with that on the north end and they cannot find the resolution.

Mr. Urquidi said this is permitted occupancy for a purpose on the street or sidewalk like dumpsters and scaffolding. He suggested amending the parking violation or enforcing it.

Council member Pereira had some confusion regarding the second to last page, section 12.16.260.

Atty. Maye explained the removal of all obstruction right of city has to do with someone obstructing the right of way and if the city has to remove it then it will be billed to the owner.

Mr. Estephan shared an example would be someone renovating their roof and has a dumpster in the street, the city can request the permit or tow the dumpster. They will be charged a storage fee of the dumpster and after 30 days it will belong to the city.

Council member Pereira said she has an issue with the term reasonable. She asked who defines what is reasonable.

Mr. Estephan said it was open to interpretation due to fit different scenarios. The discretion is to be made.

Council member Pereira added she finds it crazy that someone can apply for a permit to put a dumpster in the street.

Mr. Urquidi said it is possible, they will approve it if the homeowner does not have a driveway.

Mr. Estephan added they would measure from the center of the road, if a vehicle can pass through then it is approved the permit is valid for 30 days.

Council member Pereira shared it looks terrible.

Council member Herron said it is a good idea to allow dumpsters in the street as it is hard to transport stuff to the dump. She shared that as a homeowner it is very helpful.

Council member Martinez asked about corner store bodegas having dumpsters.

Mr. Estephan said if it is in the right of way then it is illegal.

Atty. Maye shared Mr. Estephan called the first bond in decades during his first few months holding the position as he found a \$30,000 dollar bond from a contractor that didn't complete his project.

Atty. Maye went on to say that a penalty fee of \$100 per day would be billed and the city has the option to increase the charge if the state updates the statute.

Council member Periera said she was confused with the language of the bottom paragraph on section 12.16.260.

Mr. Estephan said there are circumstances where the city does not have the correct equipment to complete the removal so they will contract a company to complete the removal and that bill will be forwarded to the owner.

Council member Pereira said it is not clear.

Atty. Maye said they can change the language if needed.

****COUNCIL MEMBER NEWTON MOTIONED TO AMEND SECTION 12.16.260, 3RD LINE FROM THE BOTTOM STARTING WITH THE SENTENCE VIOLATIONS TO READ AS:**

“UPON NOTIFICATION BY THE DIRECTOR OF PUBLIC FACILITIES OF ANY COST ASSOCIATED WITH OUTSIDE CONTRACTORS” THEN CONTINUE TO READ AS FOLLOWED.

****COUNCIL MEMBER HERRON SECONDED THE MOTION**

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

****COUNCIL MEMBER HERRON MOTIONED TO APPROVE ITEM 73-23 WITH THE TWO AMENDED.**

****COUNCIL MEMBER MARTINEZ SECONDED THE MOTION.**

****THE MOTION PASSED UNANIMOUSLY.**

John Marshall Lee asked if the public can make comments during these committee meetings.

Council member Martinez replied no.

Mr. Marshall Lee said when he writes the article on why two items were tabled without notice he would like to know why the public is not allowed to ask why.

Council member Martinez said the reason why the items were tabled is because they did not reach the quota for the charter review, which is a total of 7.

Mr. Marshall Lee said why are they working outside of the public's hearing.

Council member Martinez replied they do not have to work or sit in front of the public to work on an ordinance.

Mr. Marshall Lee asked Co chair Boyd is it routine for his co-chair to answer questions as he was chairing the meeting tonight.

Co-Chair Boyd replied that she wanted to answer and routinely the public is not able to speak at these meetings.

Mr. Marshall Lee replied the city states the chair person can allow the public to speak.

Council member Martinez replied it is at the discretion of the chair for them to be acknowledged.

Mr. Marshall Lee replied thank you.

ADJOURNMENT

****COUNCIL MEMBER MARTINEZ MOTIONED TO ADJOURN AT 7:10 PM.**

****COUNCIL MEMBER NEWTON SECONDED THE MOTION.**

****THE MOTION PASSED UNANIMOUSLY.**

Respectfully submitted,

Vianca Rivera
Telesco Secretarial Services.