



Legislative & Rules Committee – Board of Representatives

Benjamin Lee, Chair

Elise Coleman, Vice Chair

Committee Report

Date: Tuesday, January 19, 2021

Time: 7:00 p.m.

Place: This meeting was held remotely.

The Legislative & Rules Committee met as indicated above. In attendance were Chair Lee, Vice Chair Coleman, and Committee Member Reps. Fedeli, Florio, Jacobson, Lion, Miller, Nabel, and Zelinsky. Also present were Reps. Adams, Figueroa, Saftic, Sherwood, and Stella; Sandra Dennies, Director of Administration; Thomas Madden, Director of Economic Development; Ralph Blessing and David Woods, Land Use Bureau; Michael Toma, Assistant Corporation Counsel; Tilford Cobb, Animal Control Center Manager; Annie Hornish, CT State Director, American Humane Society; and Charley Hall, American Kennel Club.

Chair Lee called the meeting to order at 7:01 p.m.

Item No.	Description	Committee Action
2. LR30.103	ORDINANCE <u>for publication</u> ; Potential Amendment to §111-6 of the Code of Ordinances. 12/07/20 – Submitted by Rep. Jacobson 12/22/20 – Held by Committee 8-0-0	Held 8-0-1

The Committee first considered Item No. 2. Rep. Jacobson stated that he put this item on the agenda to preclude the tethering of dogs at temperatures below 32 degrees and above 85 degrees.

Committee members discussed this item with the invited guests. Items discussed included the following:

- Mr. Cobb stated that the current ordinance is vague but gives the officers the ability to go onto properties to discuss conditions with owners. The larger problem is the officers' inability to impose infractions. A fifteen minute window is needed in order to allow a dog to do its business.
- Ms. Hornish said that the Humane Society believes that the amendment creates clarity and educates the community about the appropriate care of dogs. All dogs are susceptible to hypothermia, frostbite and heat stroke.
- Mr. Hall stated that the AKC was not happy with the VA law on which the proposed amendment is based. An absolute temperature does not make sense given the variety of dogs. No dog should be left in conditions which put its health and safety at risk; the determination must be made as to the specific dog in the specific time. Factors to consider are age, breed, health, safety, and general condition of dog.
- Many variables, such as wind chill, may make this hard to nail down
- Mr. Cobb stated that a specific temperature limit may create a problem if a dog is suffering but the weather is not within the specified temperature range. There are provisions in the proposed language that need clarification, e.g. "protected from

predators” (coyotes can go under and over fences; hawks can get small dogs); properly lighted”; “except where detrimental to the breed”

- What if a dog is tethered with a shelter
- There is great variation among dogs
- Discretion is needed for the animal control officers
- Dogs can't be left outdoors indefinitely; need to look at breed, health, age, condition and ability to withstand environment currently in

A motion to hold Item No. 2 was made, seconded and approved by unanimous voice vote (Reps. Lee, Fedeli, Florio, Jacobson, Lion, Miller, Nabel, and Zelinsky in favor; Rep. Coleman abstaining).

3. [LR30.100](#) REVIEW; Sale of Unused City Properties. **Report Made**
09/24/20 – Submitted by Mayor Martin
09/29/20 – Approval by Planning Board
10/08/20 – Considered by Board of Finance
10/20/20 – Report Made & Held by Committee 8-0-0
11/17/20 – Held 9-0-0
12/14/20 – Moved to Pending

The Committee next considered Item No. 3. Ms. Dennies explained that after discussion with Board members, this proposal has been reduced to 0 Haig Avenue and 35 Crescent Street.

Mr. Woods reviewed the [RFPs for the sale of 0 Haig Street and 35 Crescent Street](#) with the Committee. The Administration wanted to preserve the historic elements of 0 Haig Street as part of the sale

Committee members discussed the proposals with the invited guests. Items discussed included the following:

- The Planning Board will hold a public hearing before the subdivision
- There will be 4 to 7 units in the historic structure
- The property will be sold as is; there will be an environmental review of the property before the RFP goes out
- There will be additional requirements imposed by the land use boards after the RFPs go out
- There are currently no plans for the other 1 acre at Haig Street
- 35 Crescent Street is a transit-oriented development
- The Zoning Board will make determinations as to parking space ratios
- The process in Code §9-6 regarding the sale of City properties will be followed

1. [LR30.101](#) APPROVAL; Amendment of the Rules of the Board to Add Subsection V.D.6 Concerning Voting During Remote Meeting Authorized by State of Emergency. **Approved, as amended, 9-0-0**
10/07/20 – Submitted by President Quinones
10/20/20 – Held by Committee, as amended, 7-0-0
11/17/20 – Held 9-0-0
12/22/20 – Approved by Committee 8-0-0
01/04/21 – Held at Board Meeting

A motion to amend the proposed rule change as follows was made and seconded:

Article V.E.1.b "Members of the Board of Representatives must be present at said meeting to vote. No member shall be permitted to vote by email, text or telephone call to any other member, provided, however, that nothing herein shall prohibit a member from contacting the Clerk for assistance in making their voice heard (e.g., by means of putting such member on speaker-phone or conference line).

Committee members discussed this proposed change. Items discussed included the following:

- The Clerk should be the focal point because the Clerk is responsible for making sure the vote is accurate
- Having people contact the Clerk keeps the process simple
- It is less chaotic to have one point of contact, rather than through several members
- The Comitmttee must confirm that this change is consistent with State law
- The process must ensure that all members can vote; members other than the Clerk should be able to be called
- A series of "Clerk hubs" would make this confusing
- A member could contact another member to raise a point of order delaying the vote while the member contacts the Clerk
- It would be better to be able to contact any member or any member of leadership

A motion to make a secondary amendment as follows was made and seconded:

Article V.E.1.b "Members of the Board of Representatives must be present at said meeting to vote. No member shall be permitted to vote by email, text or telephone call to any other member, provided, however, that nothing herein shall prohibit a member from contacting the Clerk, the President, or respective Majority or Minority Leaders or deputy Majority or Minority Leaders for assistance in making their voice heard (e.g., by means of putting such member on speaker-phone or conference line).

Committee members discussed this proposed change. Items discussed included the following:

- Votes need to be tallied by the Clerk
- Does this rule change contradict the Governor's Executive Order? A legal opinion should be obtained
- The Clerk has the responsibility to know that the person she is hearing is a member of the Board
- The more people who are called, the more opportunities for feedback
- Members already know each others' voices
- The proposed amendment applies to Board emeetings and committee meetings, at which the Clerk and leadership may not be present

The motion to approve the secondary amendment failed by a vote of 2-7-0 (Reps. Coleman and Zelinsky in favor; Reps. Lee, Fedeli, Florio, Jacobson, Lion, Miller, and Nabel opposed).

It was noted that the proposed amendment to the Rules would apply at committee meetings

Rep. Nabel amended her original motion to add the words or administrative staff member(s) present at the meeting, to read:

Article V.E.1.b "Members of the Board of Representatives must be present at said meeting to vote. No member shall be permitted to vote by email, text or telephone call to any other member, provided, however, that nothing herein shall prohibit a member from contacting the Clerk or administrative staff member(s) present at the meeting for assistance in making their voice heard (e.g., by means of putting such member on speaker-phone or conference line).

The motion to approve the primary amendment was approved by a vote of 9-0-0 (Reps. Lee, Coleman, Fedeli, Florio, Jacobson, Lion, Miller, Nabel and Zelinsky in favor).

A motion to approve Item No. 1, as amended, was approved by unanimous voice vote (Reps. Lee, Coleman, Fedeli, Florio, Jacobson, Lion, Miller, Nabel and Zelinsky in favor).

As a Secondary Committee (Land Use Committee meeting 1/27/21 at 7 p.m.):

1. [LU30.050](#) RESOLUTION; Approving the Sale of Property Located at 0 West Park Place (a/k/a 66 West Park Place & Park Square West III), Stamford, Connecticut by the City of Stamford Urban Redevelopment Commission to Tullamore LLC.
10/08/20 – Submitted by Thomas Madden
09/29/20 – Approved by [Planning Board](#)
11/12/20 – Approved by Board of Finance 6-0-0
12/02/20 – Public Hearing Held and Held by Committee 8-0-0
12/30/20 – Held by Committee 6-0-0

Chair Lee adjourned the meeting at 10:00 p.m.

Respectfully submitted,
Benjamin Lee, Chair

This meeting is on [video](#).