



## **Legislative & Rules Committee – Board of Representatives**

Benjamin Lee, Chair

Elise Coleman, Vice Chair

# **Committee Report**

**Date:** Tuesday, June 18, 2019

**Time:** 7:00 p.m.

**Place:** Democratic Caucus Room, 4<sup>th</sup> Floor Government Center, 888 Washington Boulevard, Stamford, CT

The Legislative & Rules Committee met as indicated above. In attendance were Chair Lee and Committee Member Reps. Fedeli, Lion, Miller, Nabel and Zelinsky. Absent or excused were Committee Member Reps. Coleman, Jacobson and Pia. Also present were Reps. Cottrell, Kolenberg and McMullen; Dan Colleluori, Operations; S. Jane von Trapp, Bartlett Arboretum; Ellen Bromley, Phil Magalnick and Honorata Kazmierczak, Mayor's Access 4 All Committee; Kevin Murray, Parks & Facilities; and Mike Toma, Law Department.

Chair Lee called the meeting to order at 7:06 p.m.

<b>Item No.</b>	<b>Description</b>	<b>Committee Action</b>
1. <a href="#">LR30.058</a>	<p>ORDINANCE <u>for public hearing and final adoption</u>; Creating a Special Revenue Fund ("Lockbox") for School Building Projects.</p> <p>01/25/19 – Submitted by Pres. Quinones and Reps. Lee, Jacobson, Fedeli, Pia, Kolenberg, Di Costanzo, Stella, de la Cruz, Cottrell and Nabel</p> <p>02/19/19 – Held by Committee 8-0-0</p> <p>03/19/19 – Held by Committee, as amended, 7-0-0</p> <p>04/23/19 – Held by Committee 6-0-0</p> <p>05/21/19 – Approved by Committee 5-0-0</p>	Approved 5-1-0

Chair Lee opened the public hearing. There being no members of the public present wishing to speak, the public hearing was closed.

Committee members discussed that

- This item would be held by the City in an account and the funds would need to be allocated by the Mayor.
- Would this lock up funds that might be needed for a different purpose
- The creation of the lockbox would call attention to the importance of school projects
- The original draft of the ordinance did contain a funding vehicle
- The ordinance is designed to provide funds above the budgeted funds

A motion to approve this ordinance for final adoption was made, seconded and approved by a vote of 5-1-0 (Reps. Lee, Fedeli, Lion, Miller and Nabel in favor; Rep. Zelinsky opposed).

2. [LR30.073](#) ORDINANCE for publication, Amendment to [Section 21-1 of the Code of Ordinances](#) to Allow the Bartlett Arboretum Association, Inc. to Name Areas, Facilities and Structures of the Bartlett Arboretum and Gardens. J. Von Trapp  
06/05/19 – Submitted by Reps. Nabel and Fedeli

Rep. Nabel explained that the idea for this ordinance came from former President Skigen, who is a member of the Bartlett Board after the Board of Finance cut \$500,000 from the Bartlett's request to fund the building of a new greenhouse. The BOF encouraged the Bartlett to continue to seek funds from private donors. For the sums needed for the scope of this project, being able to name things after living donors makes the donation more attractive.

Ms. von Trapp stated that the Bartlett has donors in the wings for whom naming opportunities are an incentive to donate. There are other projects in the works and the Bartlett will name things within reason. There are already named gardens.

The City does have a lease with the Bartlett Arboretum.

A motion to approve this ordinance was made, seconded and approved by a vote of 6-0-0 (Reps. Lee, Fedeli, Lion, Miller, Nabel and Zelinsky in favor).

3. [LR30.065](#) ORDINANCE for publication, Concerning the Use of Single-Use Plastic Straws and Stirrers by Food or Beverage Establishments. Held 6-0-0  
04/22/19 – Submitted by Reps. Jacobson, de la Cruz, Kolenberg, Stella. Cottrell and Zelinsky  
05/21/19 – Held by Committee 5-0-0

The Committee discussed the proposed ordinance with the invited guests as follows:

- Plastic straws and stirrers are not recycled
- they are bad for the environment
- this ordinance will not impact the City financially
- There are people with dexterity issues who require straws; non-plastic straws present various issues, including allergies, choking hazards, not working with both hot/cold beverages; difficult to clean; danger to user (e.g. poking)
- Having to carry around a straw creates issues of keeping them clean and the financial burden
- The ordinance needs an exemption for someone with a disability and needs to encourage restaurants or stores to have straws accessible
- The hospital exemption should specify that it is for patient care
- This ordinance probably won't be enforced
- There are 2 possible models – have straws available on request, no questions asked, or offer straws to everyone
- The [Westport ordinance](#) provides that straws and stirrers are provided upon request and that a restaurant may have 2 boxes of 200 straws on the premises
- Success of the ban may result in restaurants not having any straws available due to the cost
- Straws and stirrers are often found as litter in the parks
- The ordinance does not address the use of straws by schools

A motion to hold this ordinance was made, seconded and approved by a vote of 6-0-0 (Reps. Lee, Fedeli, Lion, Miller, Nabel and Zelinsky in favor).

4. [LR30.070](#) ORDINANCE for publication; Concerning Polystyrene and Retail Vendors. Held 6-0-0  
06/05/19 – Submitted by Rep. Jacobson, Cottrell, Lion, de la Cruz, and Kolenberg

The Committee discussed the proposed ordinance with the invited guests as follows:

- Polystyrene is not included in recycling
- On-line purchases routinely come with styrofoam packaging
- School trays are made of polystyrene; there is a group of parents trying to eliminate them.
- Phasing out the trays in schools will cost \$80,000 annually; this cost may decrease as more states and municipalities shift away from polystyrene
- Schools should have a longer lead time on this ordinance so they can budget
- Would the increase cost to the schools affect the cost of school lunch? That might have an adverse effect on students
- Are the Styrofoam trays required under State law? The Health Department needs to be invited to address this
- There is no market to recycle Styrofoam
- The [Westport ordinance](#) permits the Health Director to grant an exemption
- It is less confusing if the ordinance specifies the exemptions
- The Committee needs to understand the cost of this to the business community

A motion to hold this ordinance was made, seconded and approved by a vote of 6-0-0 (Reps. Lee, Fedeli, Lion, Miller, Nabel and Zelinsky in favor).

5. [LR30.068](#) ORDINANCE for publication, Amending Chapter 111 of the City Code of Ordinances to Prohibit the Sale of Dogs and Cats in Pet Stores. Held 6-0-0  
05/07/19 – Submitted by Reps. Kolenberg, Sherwood, Stella and Jacobson  
5/13/19 – Moved to Pending

Rep. Kolenberg discussed this with the Committee as follows:

- The State statute has banned puppy mills in Connecticut but the law became unenforceable when the USDA removed the names of breeders from its website
- There are a handful of stores in Connecticut that sell dogs from puppy mills
- Pet stores in Stamford do not sell dogs or cats, but will put you in touch with a shelter
- This is not a current problem in Stamford
- The breeding industry is already doing this on its own
- He does not know if the shelter charges fees for adoption
- The Humane Society, Animal Control Center, AKC and Cat Fanciers should be invited for next month

A motion to hold this ordinance was made, seconded and approved by a vote of 6-0-0 (Reps. Lee, Fedeli, Lion, Miller, Nabel and Zelinsky in favor).

6. [LR30.072](#) APPROVAL; Amendment of the Rules of the Board Approved 6-0-0  
Section II.A.3 to provide that a Member Who Serves as  
Parliamentarian Shall Not Give Up any Rights of Board  
Membership and May Participate as Fully in Meetings  
as all Other Members.  
06/05/19 – Submitted by President Quinones

Committee members discussed:

- Whether this would eliminate the veneer of impartiality of the Parliamentarians
- Barring Parliamentarians from making motions was not a practice in the past
- The impartiality of Parliamentarians has not been an issue; having one Parliamentarian from each party addresses this
- This change allows the Parliamentarians to continue their work as elected officials on the Board
- It is ridiculous to not permit 2 elected officials to speak
- The Parliamentarians have recused themselves when they have a conflict
- Possibly the rule should be further amended to address what happens in the event of a conflict

A motion to approve this item was made, seconded and approved by a vote of 6-0-0 (Reps. Lee, Fedeli, Lion, Miller, Nabel and Zelinsky in favor).

***As Secondary Committee:***

1. [PR30.023](#) ORDINANCE for publication; Banning Smoking in City-Owned Beaches, Parks & Other Recreational Locations.  
05/08/19 – Submitted by Reps. Stella and Pratt  
05/13/19 – Moved to Pending

Chair Lee adjourned the meeting at 9:08 p.m.

Respectfully submitted,  
Benjamin Lee, Chair

This meeting is on video ([Pt.1](#) & [Pt.2](#))