

Legal Notice of Public Hearing

Notice is hereby given that the Common Council Ordinance Committee will hold a Public Hearing on Tuesday, December 15, 2020 at 7:00 p.m. by way of videoconference/teleconference for the purpose of discussing and voting on revisions to Chapter 32, Section 4 (32-4). Please check the Ordinance Committee agenda for additional details and instructions about how to attend this Public Hearing by way of videoconference/teleconference. The Ordinance Committee agenda will be posted on the City website by December 11, 2020.

§ 32-4. Conflicts of interests; interference with duties; prohibited interests; exceptions.

A. Conflict of interest means any of the following:

1. A conflict of interest arises when there is a direct or indirect personal or financial interest of an Officer or Employee, Immediate Family or a business associate, in the outcome of an official act or action, or any other matter pending before the Officer or Employee or before the public body in which the Officer or Employee holds office or is employed. A conflict of interest may include, but not be limited to, the following forms:
 - a. A direct financial conflict of interest arises when an Officer or Employee acts on a matter from which he or she derives a Financial Benefit.
 - b. An indirect financial conflict of interest arises when an Officer or Employee acts on a matter from which his or her Immediate Family or business associate derives a Financial Benefit.
 - c. A direct personal conflict of interest arises when an Officer or Employee acts on a matter that has a direct impact on the Officer or Employee in a non-financial way.
 - d. An indirect personal conflict of interest arises when an Immediate Family member or business associate of an Officer or Employee, receives an improper benefit as a result of an act or decision by the Officer or Employee.

B. Prohibited Actions and Transactions

Unless otherwise provided in Section 32-4, an Employee or Officer shall not:

1. Take any action, directly or indirectly, to coerce, command or require an Employee, Officer or Agency to appoint an Immediate Family member to a City position, whether paid or unpaid;
2. Have a role, directly or indirectly, in obtaining a Financial Benefit, hiring, promoting, demoting, disciplining, or taking other personnel action involving an Immediate Family member;

3. Take any action, directly or indirectly, to coerce, command or require an Employee, Officer or Agency to refrain from hiring, promoting, demoting, disciplining, or taking other personnel action involving an Immediate Family member;
4. Provide a Financial Benefit to a business, which is owned, operated, and/or controlled by an Immediate Family member;
5. Engage in any business or transaction, directly or indirectly that is in material conflict with, influences and/or impairs his or her independence of judgment and action in the proper discharge of his or her official duties. .
6. Deliberate or participate in a decision or action by the Agency of which the Individual is a member or is employed if such Individual or any member of his or her Immediate Family has any interest in the matter or would be likely to gain or lose any benefit that is not common to the general interest of the public as a result of the decision or action before that Agency, unless otherwise provided by law.
7. Grant, by virtue of his or her office or position of employment with the City, any special consideration, treatment or advantage to any Person beyond that which is generally available to the public;
8. Receive by virtue of his or her office or position of employment with the City, any special consideration, treatment or advantage in any activity or business transaction beyond that which is generally available to the public or Officers and Employees of the City.

C. Exceptions:

A "conflict of interest" does not arise in the case of an official act or action in which the Officer or Employee has a personal or financial interest in the outcome, such as in the establishment of a tax rate, that is no greater than that of other persons generally affected by the decision. In addition, subsections A and B of this section do not prohibit the following:

- (1) The employment of an Officer or Employee by a Person who has or who may enter into a contract with the City that is available to members of the general public through open bidding or other process, if the preparation, procurement or performance of the contract is not before the Officer's or Employee's Agency or the Officer or Employee is not responsible for any aspect of the transaction underlying the contract, and the or Officer's or Employee's relationship is disclosed in writing to the City Clerk.
- (2) A purchase, sale, foreclosure or condemnation of property or any interest therein involving the City and an Officer or Employee of the City, if the transaction is conducted according to applicable public procedures. The Officer or Employee must take no part in the transaction

on behalf of the City and an independent Officer or Agency must approve the terms of the transaction, in writing.

- (3) A contract or transaction between an Officer or Employee and the City, which contract or transaction does not involve his or her Agency and is available to the general public through open bidding or other process.
- (4) Performance of a contract involving the City and an Officer or Employee or a member of his or her Immediate Family, which was executed or entered prior to the date of hire, appointment or election of such Officer or Employee by the City, when written disclosure of the terms of such contract is filed in accordance with this Code of Ethics with the City Clerk.
- (5) Employment of an Officer or Employee by a media organization that publishes a public notice, resolution, ordinance or other document, the publication of which is required by law.
- (6) Unless otherwise prohibited by law, nothing herein shall preclude an Officer or Employee of the City from serving on the board of charitable or nonprofit entities, provided the Officer or Employee makes written disclosure of the relationship to the City Clerk and the Officer or Employee shall take no action with regard to the City related to such charitable or nonprofit entity.
- (7) Unless otherwise prohibited by law, nothing herein shall preclude an Officer or Employee of the City from serving on the board of an entity or Agency as a designated representative of the City and in such capacity his or her actions as a representative of the City shall not of itself constitute a conflict of interest under this Code of Ethics.
- (8) An Officer or Employee participating in any program offered by the City to Employees and Officers generally, including such programs as discount purchase programs, health and education programs, and recreational events.
- (9) City's Ordinance List Employees may represent the City's interests in any City labor contract negotiation or grievance procedure.

Dated at Norwalk, Connecticut this 19th day of November 2020.

ATTEST: Donna I. King
Donna I. King, City Clerk

THE HOUR: Please publish once on Friday, December 4, 2020

To allow public access, anyone may access a meeting by telephone, Zoom, and/or the City of Norwalk YouTube channel. Specific instructions and links can be found at www.norwalkct.org/meetings.



Members of the public can call in and listen to a meeting. They will not be able to speak or see any of the meeting participants. Each meeting will use a unique Meeting/Webinar ID. Please find the information using the link above.



Members of the public who wish to provide "live comments" will need to register in advance and use the Zoom meeting platform. All participants will be muted upon entering the meeting. To speak, click the "raise your hand indicator" and you will be called on by the host of the meeting during the public comment section. Please find the information using the link above.



Members of the public who wish to view the meeting, but are not participating, can view a live stream on the City of Norwalk YouTube channel. This stream is delayed by approximately 20 seconds. Please find the information using the link above. The meeting recording and minutes will be posted on the City of Norwalk website within seven (7) days after the meeting.



Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be read into the record, they should be submitted at least three hours in advance of the meeting start time. Please email Brian Candela at bcandela@norwalkct.org to provide written public comment prior to the meeting.

COMMON COUNCIL ORDINANCE COMMITTEE **REGULAR MEETING**

December 15, 2020

7:00 p.m. – By videoconference and Teleconference

AGENDA

1. ROLL CALL:

2. PUBLIC HEARING (possible action on):

- Discuss and vote on Code of Ethics Section 32-4 – Conflicts of Interests; interference with duties; prohibited interests; exceptions.

3. PUBLIC HEARING DISCUSSION:

4. PUBLIC COMMENT:

5. ACCEPTANCE OF MINUTES:

- November 17, 2020 – regular meeting of the ordinance committee

6. OLD BUSINESS:

7. NEW BUSINESS:

8. DISCUSSION ITEM:

9. ADJOURNMENT:

Chapter 32 – Code of Ethics

Section 32-4: Conflicts of Interests

- a. Legal Notice**
- b. Legal Notice**
- c. Proposed redline changes**
- d. Current language in code**

The Norwalk Hour

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Saturday, Dec 5, 2020 9-4
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GREEN FILLED
WITH TREASURES
Couches, chairs, end tables, lamps
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This End Up bunk beds, dressers,
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Glassware
Pots & Pans
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housewares
Porcelain, pottery, china, pewter
Pictures, Nantucket prints
Linen
Karatian/Durrie rugs
Mirrors
Books
Toys
X-Mas Items
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Silver Cross English Pram
60's Dansk Ice Bucket
Large Antique large bid cage
Men/Women's Clothing
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Costume Jewelry
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CASH OR CHECK ONLY
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BUCKINGHAM ESTATE SALES-203-767-5771

BUCKINGHAM ESTATE SALES -
37 Bermuda Rd,
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*FRI: Dec. 4, 2020 10-4
*SAT: Dec. 5, 2020 10-4
*SUN: Dec. 6, 2020 10-2
BEACH HOME FILLED WITH
TREASURES, PAST & PRESENT
Living Rm. 30's Couches, Blk
leather chair/ottoman, chrome/
glass coffee table
3/4 Rope Bed
Twin bed
Mission Desk
Desks, end table
Vintage 60's kitchen, blue
chrome kit, chairs
Vintage sunbeam Mixer
Waffle maker, meat grinder
Glassware, China, Crystal
Silverware, pewter
One-Design sailing racing
framed photos
Nautical pictures
Framed America's Cup posters
Rugs, mirrors, linens
Sheets of Music
Books, lamps,
Seaweed & coral sculpture
Brass ships bell
Konica Autoflex T Camera w 3
Konica Lens
1910's-1920's Vintage Stereo
Viewer with box of card in very
good condition
60's slide projector, tripod
X mas Items
60's toys, trucks
Vintage bamboo double chair on
wheels
Tools
Vintage Fridgidaire
Pottery, garden tools
Overhead garage lighting
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Yard, Lawn, Leaf, Weeding,
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Soil, Much Low Rates/
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Tali 203-965-0653

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AND DOORS
NEW VINYL, COMPOSITE, &
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FREE ESTIMATES. LICENSED
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Sod, Seed, Soil, Mulch,
Weeding, Lawn Maintenance,
Lawn Mowing & Dump Runs,
Exterior Power Washing,
Painting, Masonry,
Low Rates/Free Estimates
Tali 203-965-0653

PUBLIC NOTICES

Public Notice
Public notice is made pursuant to CGS 22a-134a(j). Notification was filed with the Connecticut Department of Energy and Environmental Protection (CTDEEP) indicating that soil remediation in compliance with the Remediation Standards Regulations is planned at 656 Post Road East, Westport, Connecticut. Any questions or comments can be directed in writing to: GO Environmental, LLC; Jonathan Foss, 203 Broad Street, C-10, Milford, CT 06460. All written comments received within 45 days of this notification will be submitted to the CTDEEP.

& Walkways, Patios, Walls,
Pavers, Brick, Stucco, Concrete. Belgium Block, \$11.00
per Block Installed. Low
Rates, Free Est, Licensed &
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Interior, Exterior, Commercial
& Residential. Low Rates/
Free Estimates. Licensed &
Insured. Tali 203-965-0653

SNOWPLOWING
1-203-316-8300
SNOW PLOWING
& Shoveling & Salting for
Residential & Commercial,
Low Rates/Free Estimates
Tali 203-965-0653

TREE SERVICES
1-203-316-8300
COMPLETE TREE
Removal Services
Chipping, Stump
Grinding, Storm damage.
Low Rates/ Free
Estimates Fully insured.
24 hr Emergency Svc.
Tali 203-965-0653

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\$150/Half Cord
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The American Red Cross works
with more than 50,000 blood
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for people to give blood.
For more information or to find
a location where you can donate,
go to www.REDCROSS.ORG

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M-F, 8:30 a.m. to 4:30 p.m.

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§ 32-4. Conflicts of Interests: interference with duties; prohibited interests; exceptions.

A. Conflict of interest means any of the following:

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- An indirect personal conflict of interest arises when an Immediate Family member or business associate of an Officer or Employee, receives an improper benefit as a result of an act or decision by the Officer or Employee.

B. Prohibited Actions and Transactions

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- Take any action, directly or indirectly, to coerce, command or require an Employee, Officer or Agency to appoint an Immediate Family member to a City position, whether paid or unpaid;
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- Take any action, directly or indirectly, to coerce, command or require an Employee, Officer or Agency to refrain from hiring, promoting, demoting, disciplining, or taking other personnel action involving an Immediate Family member;
- Provide a Financial Benefit to a business, which is owned, operated, and/or controlled by an Immediate Family member;
- Engage in any business or transaction, directly or indirectly that is in material conflict with, influences and/or impairs his or her independence of judgment and action in the proper discharge of his or her official duties ..
- Deliberate or participate in a decision or action by the Agency of which the Individual is a member or is employed if such Individual or any member of his or her Immediate Family has any interest in the matter or would be likely to gain or lose any benefit that is not common to the general interest of the public as a result of the decision or action before that Agency, unless otherwise provided by law.
- Grant, by virtue of his or her office or position of employment with the City, any special consideration, treatment or advantage to any Person beyond that which is generally available to the public;
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C. Exceptions:

A "conflict of interest" does not arise in the case of an official act or action in which the Officer or Employee has a personal or financial interest in the outcome, such as in the establishment of a tax rate, that is no greater than that of other persons generally affected by the decision. In addition, subsections A and B of this section do not prohibit the following:

- The employment of an Officer or Employee by a Person who has or who may enter into a contract with the City that is available to members of the general public through open bidding or other process. If the preparation, procurement or performance of the contract is not before the Officer's or Employee's Agency or the Officer or Employee is not responsible for any aspect of the transaction underlying the contract, and the Officer's or Employee's relationship is disclosed in writing to the City Clerk ..
- A purchase, sale, foreclosure or condemnation of property or any interest therein involving the City and an Officer or Employee of the City. If the transaction is conducted according to applicable public procedures. The Officer or Employee must take no part in the transaction on behalf of the City and an Independent Officer or Agency must approve the terms of the transaction, in writing.
- A contract or transaction between an Officer or Employee and the City, which contract or transaction does not involve his or her Agency and is available to the general public through open bidding or other process.
- Performance of a contract involving the City and an Officer or Employee or a member of his or her Immediate Family, which was executed or entered prior to the date of hire, appointment or election of such Officer or Employee by the City, when written disclosure of the terms of such contract is filed in accordance with this Code of Ethics with the City Clerk.
- Employment of an Officer or Employee by a media organization that publishes a public notice, resolution, ordinance or other document, the publication of which is required by law.
- Unless otherwise prohibited by law, nothing herein shall preclude an Officer or Employee of the City from serving on the board of charitable or nonprofit entities, provided the Officer or Employee makes written disclosure of the relationship to the City Clerk and the Officer or Employee shall take no action with regard to the City related to such charitable or nonprofit entity.
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- An Officer or Employee participating in any program offered by the City to Employees and Officers generally, including such programs as discount purchase programs, health and education programs, and recreational events.
- City's Ordinance List Employees may represent the City's interests in any City labor contract negotiation or grievance procedure.

Dated at Norwalk, Connecticut this 19th day of November 2020.

ATTEST: *Donna I. King*
Donna I. King, City Clerk

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6. Deliberate or participate in a decision or action by the Agency of which the Individual is a member or is employed if such Individual or any member of his or her Immediate Family has any interest in the matter or would be likely to gain or lose any benefit that is not common to the general interest of the public as a result of the decision or action before that Agency, unless otherwise provided by law.
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C. Exceptions:

A "conflict of interest" does not arise in the case of an official act or action in which the Officer or Employee has a personal or financial interest in the outcome, such as in the establishment of a tax rate, that is no greater than that of other persons generally affected by the decision. In addition, subsections A and B of this section do not prohibit the following:

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on behalf of the City and an independent Officer or Agency must approve the terms of the transaction, in writing.

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- (7) Unless otherwise prohibited by law, nothing herein shall preclude an Officer or Employee of the City from serving on the board of an entity or Agency as a designated representative of the City and in such capacity his or her actions as a representative of the City shall not of itself constitute a conflict of interest under this Code of Ethics.
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Dated at Norwalk, Connecticut this 19th day of November 2020.

ATTEST: Donna I. King
Donna I. King, City Clerk

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1. A conflict of interest arises when there is a direct or indirect personal or financial interest of an Officer or Employee, ~~or a person or group closely tied with the Officer or Employee, including someone from his or her~~ Immediate Family or a business associate, in the outcome of an official act or action, or any other matter pending before the Officer or Employee or before the public body in which the Officer or Employee holds office or is employed. A conflict of interest may include, but not be limited to, the following forms:
 - a. A direct financial conflict of interest arises when an Officer or Employee acts on a matter ~~from which that~~ he or she derives a Financial Benefit.
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 - c. A direct personal conflict of interest arises when an Officer or Employee acts on a matter that has a direct impact on the Officer or Employee in a non-financial way ~~but is of significant importance to the Officer or Employee.~~
 - d. An indirect personal conflict of interest arises when an Immediate Family member or business ~~or personal~~ associate of an Officer or Employee, ~~or an organization in which an Officer or Employee is affiliated,~~ receives an improper benefit as a result of an act or decision by the Officer or Employee.
2. ~~A situation where an Officer or Employee has not disclosed ex parte communication(s) related to an administrative proceeding that is before the body to which that Officer or Employee belongs or is employed.~~

B. Prohibited Actions and Transactions

Unless otherwise provided in Section 32-4, an ~~Municipal~~ Employee or Officer shall not:

1. Take any action, directly or indirectly, to coerce, command or require an ~~Municipal~~ Employee, Officer or Agency to appoint an Immediate Family member to a ~~City municipal~~ position, whether paid or unpaid;
2. Have a role, directly or indirectly, in obtaining a Financial Benefit, hiring, promoting, demoting, disciplining, or taking other personnel action involving an Immediate Family member;
3. Take any action, directly or indirectly, to coerce, command or require an ~~Municipal~~ Employee, Officer or Agency to refrain from hiring, promoting, demoting, disciplining, or taking other personnel action involving an Immediate Family member;
4. Provide a Financial Benefit to a ~~third-party business or independent contractor,~~ which is owned, operated, and/or controlled by an Immediate Family member;

5. Engage in any business or transaction, ~~directly or indirectly -that is in material conflict with, influences and/or impairs his or her independence of judgment and action in the proper discharge of his or her official duties. or have a personal, Immediate Family or business interest, directly or indirectly, that is in material conflict with, influences and/or impairs his or her independence of judgment and action in the proper discharge of his or her official duties.~~
6. Deliberate or participate in a decision or action by the Agency of which the Individual is a member or is employed if such Individual or any member of his or her Immediate Family has any interest in the matter or would be likely to gain or lose any benefit that is not common to the general interest of the public as a result of the decision or action before that Agency, unless otherwise provided by law.
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- (3) A contract or transaction between an Officer or Employee and the City, which contract or transaction does not involve his or her Agency and is available to the general public through open bidding or other process.

- (4) Performance of a contract involving the City and an Officer or Employee or a member of his or her Immediate Family, which was executed or entered prior to the date of hire, appointment or election of such Officer or Employee by the City, when written disclosure of the terms of such contract is filed in accordance with this Code of Ethics with the City Clerk.
- (5) Employment of an Officer or Employee by a media organization that publishes a public notice, resolution, ordinance or other document, the publication of which is required by law.
- (6) Unless otherwise prohibited by law, nothing herein shall preclude an Officer or Employee of the City from serving on the board of charitable or nonprofit entities ~~or agencies~~, provided the Officer or Employee makes written disclosure of the relationship to the City Clerk and the Officer or Employee shall take no action with regard to the City related to such charitable or nonprofit entity ~~or Agency~~.
- (7) Unless otherwise prohibited by law, nothing herein shall preclude an Officer or Employee of the City from serving on the board of an entity or Agency as a designated representative of the City and in such capacity his or her actions as a representative of the City shall not of itself constitute a conflict of interest under this Code of Ethics.
- (8) An Officer or Employee participating in any program offered by the City to Employees and Officers generally, including such programs as discount purchase programs, health and education programs, and recreational events.
- (9) City's Ordinance List Employees may represent the City's interests in any ~~municipal~~ City labor contract negotiation or grievance procedure.

City of Norwalk, CT
Friday, December 11, 2020

Chapter 32. Code of Ethics

§ 32-4. Conflicts of interests; interference with duties; prohibited interests; exceptions.

- A. Officers and employees of the City should avoid engaging in any business or transaction and should refrain from having an interest, directly or indirectly, which is materially in conflict with or materially incompatible with the proper discharge of his or her official duties for the City or might otherwise influence or impair his or her independence of judgment and action in the performance of said duties for the City. In the event an officer or employee of the City has a known conflict, he or she shall disclose it in writing to the City Clerk, and if such conflict is material, he or she shall recuse himself or herself from taking any action, with regard to the City, related to the conflicting transaction, business or interest, except as otherwise provided for herein.
- B. Unless otherwise provided by law, an officer or employee of the City shall not deliberate or participate in a decision or action by the agency of which the individual is a member or is employed if such individual or any member of his or her immediate family has any interest in the matter or would be likely to gain or lose any benefit that is not common to the general interest of the public as a result of the decision or action before that agency. Nothing herein shall prohibit any of the City's ordinance list employees from representing the City's interests in any municipal labor contract negotiation or grievance procedure, merely because he or she is an ordinance list employee.
- C. An officer or employee, in performing in his or her office or position of employment with the City, shall not grant any special consideration, treatment or advantage to any person beyond that which is generally available to the public.
- D. An officer or employee shall not by virtue of his or her office or position of employment with the City receive any special consideration, treatment or advantage in any activity or business transaction beyond that which is generally available to the public or officers and employees of the City generally.
- E. Subsections **A**, **B**, **C**, and **D** of this section do not prohibit the following:
 - (1) The employment of an officer or employee by a person who has or who may enter into a contract with the City that is available to members of the general public through open bidding or other process, if the preparation, procurement or performance of the contract is not before the officer's or employee's agency or the officer or employee is not responsible for any aspect of the transaction underlying the contract, and the employee's or officer's relationship is disclosed in writing to the City Clerk.
 - (2) A purchase, sale, foreclosure or condemnation of property or any interest therein involving the City and an officer or employee of the City, if the transaction is conducted according to applicable public procedures. The officer or employee must take no part in the transaction on behalf of the City and an independent officer or agency must approve the terms of the transaction, in writing. Where appropriate and in accordance with this Code of Ethics, the officer or employee should make written disclosure of the transaction to the City Clerk.

- (3) A contract or transaction between an officer or employee and the City, which contract or transaction does not involve his or her agency and is available to the general public through open bidding or other process.
- (4) Performance of a contract involving the City and an officer or employee or a member of his or her immediate family, which was executed or entered prior to the date of hire of such officer or employee by the City, when written disclosure of the terms of such contract is filed in accordance with this Code of Ethics with the City Clerk.
- (5) Employment of an officer or employee by a newspaper that publishes a public notice, resolution, ordinance or other document, the publication of which is required by law.
- (6) Employment of an officer or employee by a public utility regulated by the Public Utilities Commission.
- (7) Nothing herein shall preclude an officer or employee of the City from serving on the board of charitable or nonprofit entities or agencies, provided the officer or employee makes written disclosure of the relationship to the City Clerk and the officer or employee shall take no action with regard to the City related to such charitable or nonprofit entity or agency.
- (8) Nothing herein shall preclude an officer or employee of the City from serving on the board of an entity or agency as a designated representative of the City and in such capacity his or her actions as a representative of the City shall not of itself constitute a conflict of interest under this Code of Ethics.
- (9) An officer or employee participating in any program offered by the City to employees and officers generally, including such programs as discount purchase programs, health and education programs, and recreational events.

**Draft Meeting Minutes from
the 11/17/2020 Ordinance
Committee Meeting**

To allow public access, anyone may access a meeting by telephone, Zoom, and/or the City of Norwalk YouTube channel. Specific instructions and links can be found at www.norwalkct.org/meetings.

Members of the public can call in and listen to a meeting. They will not be able to speak or see any of the meeting participants. Each meeting will use a unique Meeting/Webinar ID. Please find the information using the link above.

Members of the public who wish to provide "live comments" will need to register in advance and use the Zoom meeting platform. All participants will be muted upon entering the meeting. To speak, click the "raise your hand indicator" and you will be called on by the host of the meeting during the public comment section. Please find the information using the link above.

Members of the public who wish to view the meeting, but are not participating, can view a live stream on the City of Norwalk YouTube channel. This stream is delayed by approximately 20 seconds. Please find the information using the link above. The meeting recording and minutes will be posted on the City of Norwalk website within seven (7) days after the meeting.

Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be read into the record, they should be submitted at least three hours in advance of the meeting start time. Please email Brian Candela at bcandela@norwalkct.org to provide written public comment prior to the meeting.

**CITY OF NORWALK
ORDINANCE COMMITTEE
NOVEMBER 17, 2020
BY VIDEOCONFERENCE AND TELECONFERENCE**

ATTENDANCE: Lisa Shanahan, Chair; David Heuvelman; Dominique Johnson;
Thomas Keegan; Manny Langella; Thomas Keegan;
Kadeem Roberts

STAFF: Brian Candela, Corporation Counsel

OTHERS: Michael Church, Board of Ethics; Police Chief Kulhawik;
Nicholas Sacchinelli, Common Council member

1. ROLL CALL

Ms. Shanahan called the meeting to order at 7:02 p.m. and called the Roll as reflected above.

4. PUBLIC COMMENT

Public participation comments are not verbatim and represent a summarization of statements unless otherwise noted. All speakers are Norwalk residents unless otherwise noted.

All comments are related to Chapter 38, Article 1, Sections 38-1, 38-2, 38-3, 38-4, 38-5 and 38-6. In addition, all letters submitted to the Committee will be attached to the minutes on the City's website.

Mr. Benjamin Neils read a letter in opposition.

Mr. Chris Fisher spoke in opposition. He said that he is a licensed gun owner and this Ordinance unnecessary. There is no need for it. He said he is an avid patriot, and his Constitutional right is being infringed upon. He asked why the City is looking for this and that criminals will go ahead as they intend to do. This is a solution looking for a problem. Mr. Fisher asked the Committee to abandon this proposal or table it until Covid restrictions are over.

Ms. Malory Stevens said this is a huge infringement on the Second amendment. She said that she is legally licensed to carry. This Ordinance will punish law abiding citizens. She said she realizes that the police are purposely vague but had questions. Ms. Stevens said that in the current climate, this is about keeping Constitutional rights. She said that she understood the ban in public buildings. She asked the Committee to take into consideration the people who do the right thing.

Ms. Donna Smirniotopolos said she submitted a letter to the Committee earlier asking the Committee to table the Ordinance and amend it for further review.

Ms. Shanahan announced that the Committee would be tabling the item this evening.

Mr. Peter Choi read a letter he sent to the Committee voicing his disappointment of the proposed Ordinance. He said he has had harrowing experiences with coyotes and is a law abiding citizen. He said that he does not believe there is a gun issue that needs to be resolved. Mr. Choi said that this ban will turn responsible residents into criminals.

Mr. Greg Helmes said he was angry such a matter would be considered. He said this is taking advantage of the public's inability to come together. He asked if his property tax will be reduced since he will not be able to use his firearm or take trash to the transfer station. He said this Ordinance violates his Constitutional right to protect himself. He asked the Committee if they believed criminals will follow the law. He said that law abiding gun owners are not the ones killing anyone with a gun. Mr. Helmes said that as a

Ordinance Committee

November 17, 2020

Page 2

By Videoconference and Teleconference

taxpaying citizen he would be unable to attend various City owned properties. He said that the Committee conveniently ignore the risk that is there and that law abiding citizens will comply, but the criminals will not. He said he has a license to carry, but this would make him a criminal.

Mr. John Romano said he is a proud licensed gun owner. He said that over 40 years ago they did an FBI background check and they do that now. He said he has been duly licensed for business purposes. These are very difficult times. Mr. Romano said he does not want to see the innocent punished for political games. He said there is no cause or issue that needs this type of Ordinance.

Mr. Christopher Farraro said he is a member of the CDL and NRA and that he is a law abiding Citizen, but this makes him want to leave and go where they treat gun owners with respect. He said he pays his taxes. He said that he is not happy with the Norwalk Police and that they should go after the criminals and not the people who are licensed.

Mr. Neil Ferry said he has a permit to carry and agrees with the Second Amendment. He said that two Common Council members brought up issues that need to be addressed – false arrest and parking lots and if this will become a felony charge if someone does not know they are on City property. He said that this will bring law suits up to the Supreme Court. He asked if the law passes if it can be made reasonably fair. Mr. Ferry said he read that the reason this is taking place is to make resident feel safe. He said that if you want to feel safe, you should look at the school at Sandy Hook and all of the safety features that were put into place. He said that it would not be a good idea to post gun free zone signs in South Norwalk. He said that this is a problem waiting to occur.

Dr. Walt Cupson, Middlebury, CT said that he is a pistol permit holder since 2006. He said that he is a physician, father and husband and that he believes in defending himself. He said that if he visits Norwalk, he will have no idea where he can carry his firearm, if this Ordinance is passed. He said that criminals are going to do what they want to do. He said that if he visits Norwalk and leaves his firearm at home, that will make himself a victim.

Mr. Christopher Zens said that he is a water fowl hunter. He explained that the issue at Calf Pasture Beach is that you are not hunting on City property, but below the high tide mark. He said that the Department of Energy and Environmental Protection essential shut down hunting at Calf Pasture Beach. He said that his biggest concern is access to the Norwalk boat launch. He said the hunters transport unloaded firearms through town property at the boat launch to get to the islands. Access to the launch is paramount. The way this Ordinance is written could shut down access to the launch. He said access to the launch is needed to get out to the islands safely.

Mr. Michal Miller read a letter he submitted to the Committee expressing his opposition to the Ordinance. He strongly encouraged the Committee to dismiss the Ordinance.

Ordinance Committee

November 17, 2020

Page 3

By Videoconference and Teleconference

Ms. Jennifer Balliet spoke in support of the Ordinance and said she wants to feel safe . She said she has family members who are responsible gun owners who do not feel the need to carry at the beach. She said that our Police Officers are not allowed to ask a person to see their permit.

Mr. Jonathan Walsh said he is an X-EMT and said there are people who do not have the level of security he has. He said he has a pistol permit and feels safe because he takes his own safety in his own hands. Mr. Walsh said that in all his years living in Norwalk he has never seen anyone brandishing a weapon. He said that as an EMT, it is most important that people like him are not cast as felons. He said that criminals will not speak up tonight. The criminals are not the ones who are and will not speak up.

Ms. Meaghan McNeil said that as an ENNA Board Member, and as a matter of process, the public was not made aware of this meeting. She said the outreach is not satisfactory. As a private citizen she said she sent an e-mail, but wanted to add a statement on the diversity of gun owners. She said they are law abiding citizens and this Ordinance tells them that the City does not want them here.

Mr. Julian Polette read a letter he submitted to the Committee in opposition to the Ordinance. He said this law gives people a false sense of security. The average Cop is less proficient with their firearm than a licensed carrier. He asked the Committee to reconsider this ruling that will harm the innocent.

Mr. Marshall Helenbech said he submitted a letter to the Committee. He said the issue is about waterfowl hunting, but this Ordinance seems to be broadly applied to everyone. He said he does not see the impetus for this. He said this is turning law abiding citizens into criminals. He said this proposal is overreaching and does not make sense.

Ms. Olivia Doherty said she is a licensed to carry a firearm and uses it at the range. She said she hard about this Ordinance and was shaken up. She said rights are being eroded and carriers are in jeopardy. She said she did not know how many are licensed to carry. She said she was disheartened to listen to a panel who is going to rule on this who have great depth of misunderstanding. Ms. Doherty said she was bother by this because it is overreaching and the public did not know this was going on. She said she hoped the Committee would do their research because they do not understand what this means. She said the criminals do not care about law. Murder is against the law, but criminals are going to do it by any means.

Mr. William Hampton said he submitted a letter to the Committee in opposition to the Ordinance. He said this proposal was against the Constitution. He said that outside of Federal properties and schools, residents should be able to carry their firearms. He asked the Committee to do away with the proposal and that the Committee members take a gun safety class.

Ms. Shanahan said 250 e-mails were received. Mr. Candela said that each letter will be attached to the minutes and will be available on the website.

Ms. Shanahan asked Mr. Candela to read some of the letters submitted.

Mr. Candela read a letter from Mr. Tony Lopez in opposition to the Ordinance. He said he is an avid outdoorsman and that the wording is far too vague. He said he cares about the law, but the same cannot be said of those who wish to do harm to others.

Ms. Shanahan said they received a lot of letters in favor of the Ordinance and asked Mr. Candela to read some, to be fair.

Mr. Candela read the following letters:

Ms. Mallory Sargent said she applauded this effort because it is important to keep the municipal employees safe.

Ms. Isabel Hunter said she frequents the recreational spaces in the City.

Ms. Clair Schoen said there is no reason for anyone to be armed. She also said she was in favor of extending the ban on water fowl hunting.

Mr. Kevin said this will not solve the problem, but is an important step in the right direction.

Mr. Candela said there were many more letters and they will be attached to the minutes.

2. PUBLIC HEARING (possible action on)

Ms. Shanahan thanked the public for their comments. She said that given the volume of letters received, it was not possible to read all the letters into the record. She said the Committee will not take a vote tonight.

3. PUBLIC HEARING DISCUSSION

Ms. Shanahan said that there are a few misunderstandings about this Ordinance. She explained that there would be no limit on access for hunters. The Ordinance does not ban guns on streets, sidewalks and municipal garages. She said the Ordinance is trying to make it clear which buildings will be covered under this Ordinance. They do not want to require the City to spend money on signage.

Ms. Shanahan explained that this Committee was charged with looking at the Ordinance. This Ordinance would codify the Parks and Recreation rules that exist.

5. ACCEPTANCE OF MINUTES

- October 20, 2020 – regular meeting of the ordinance committee

Mr. Candela said he would make the corrections to the minutes.

**** MR. LIVINGSTON MOVED TO ACCEPT THE MINUTES AS AMENDED
** MOTION PASSED UNANIMOUSLY BY A SHOW OF HANDS**

6. OLD BUSINESS

- Discuss and vote on Code of Ethics Section 32-4 – Conflicts of Interests; interference with duties; prohibited interests; exceptions.

Ms. Shanahan said this Committee reviewed this item last month and sent it to the Board of Ethics for their review and comments.

Mr. Candela said the only question from the Board of Ethics was in 32-4-E. They had two small points and made a grammatical change.

**** MR. HEUVELMAN MOVED THIS ITEM AS AMENDED TO A PUBLIC
HEARING AT THE NEXT MEETING OF THE ORDINANCE
COMMITTEE
** MOTION PASSED UNANIMOUSLY BY A SHOW OF HANDS**

Mr. Church thanked the members of the Ordinance Committee. Mr. Candela said that if and when 32-4 is approved, that will allow the Board of Ethics to complete the Citizen's Guide. Once it has been completed, it will be on the City's website.

- Discuss and vote on Chapter 38, Article 1, Sections 38-1, 38-2, 38-3, 38-4, 38-5 and 38-6.

The Committee members discussed the various sections in the Ordinance. Mr. Candela said it is clear as it pertains to the sale of firearms and hunting. The State has the sole jurisdiction in Connecticut. He said he reached out to the DEEP for guidance and they made some recommendations. One of the changes they made was in 32-2-B (firearms). Mr. Candela recommended forwarding any new language to the DEEP for their comments and guidance especially when dealing with an area where they have jurisdiction. He said they were specific about what City properties they propose to make gun free.

Ms. Shanahan noted that all City department heads were consulted, including the Police Chief and they understand there are laws that do not permit guns. Mr. Candela offered to send a link of municipal ordinances to the Committee members.

Mr. Livingston said it is not their intent to penalize law abiding citizens. Mr. Candela said that when he conducted his research he tried to see if this was something the law allowed. He said he did not have the opportunity to look at how other municipalities handle potential penalties or what they are, if any.

Mr. Keegan asked Mr. Candela if anyone challenged the Ordinance. Mr. Candela said there was a challenge in New Haven over the sale of guns. He said that after this meeting, he will conduct research on this.

Mr. Keegan said that Mr. Candela indicated that the municipal ordinance regarding hunting may be superseded by State law. He asked if that would be the case here. Mr. Candela read a letter from the DEEP's assessment and said that the City can prohibit hunting on City property, but they retain domain over State property. Mr. Candela will forward the letter.

Mr. Keegan asked what the Committee was trying to do and what is their legislative intent. He said that he heard from the Police Chief that there is no problem. Ms. Shanahan said they should thank the gun owners for honoring the rules but said they do need an Ordinance to underpin this. She said she did not think it was appropriate to leave these rules in the air.

Mr. Livingston said that City Hall and other buildings had this rule for seven years. The point is people are saying the Committee needs a problem to enact this Ordinance and that is irresponsible.

Mr. Langella thanked the public for their e-mails and calls. He said this is a difficult Ordinance. He noted that he is a concealed carrier. He said that this Ordinance has quickly evolved from being a water fowl hunting ban to this. He said that this Ordinance is hard to support, when he hears the Chief of Police validate there are no complaints. Mr. Langella said he is concerned about the penalties for gun owners. He said this opens the City up to financial risk during a time with reduced tax revenue. Mr. Candela noted that as a City they can't control if someone decided to file a lawsuit against the City.

Mr. Heuvelman said this is an interesting place to be. He noted that he is also a permit holder. He expressed appreciation for all who came out to speak and for the 250 letters that were submitted. He said it is clear that State parks are gun free unless designated by the DEEP. He said that for the City to extend this to the City parks seems to be a natural extension. Mr. Heuvelman said there are people who feel unsafe and some who are upset with the idea that people could be at a park with guns.

Mr. Heuvelman said it struck him as odd to carry in a City park, but if someone perceives his dog as a threat at the park that could spark a situation. He said that he is a proponent of this Ordinance, but wants to be sure it serves everyone. He said he finds it hard to allow anyone to carry into City buildings. He said he went through an extensive process

to get a concealed permit. The training side is a question of what you put into it. He said that the Police spend every day in that environment with these tools. He said he does not trust a private citizen to have the same amount of training and that gives him pause.

Mr. Roberts expressed this thanks to all who provided comments and e-mails. He asked those listening to know that there are licensed people on the Committee and they know the concept of safety. He said he was very happy the Committee was going to table this item because it is important to get more information. He noted that people come from different places and hunt to feed their families. He said that he realized that a person said to not make this an issue where there is none and that comment stuck with him.

Ms. Johnson asked Chief Kulhawik if there would be instances where having this Ordinance would help the Norwalk Police or hinder them. Chief Kulhawik said that generally, they would not know if someone had a firearm that was prohibited. Ms. Johnson said she was not surprised by the outcry from both sides. She said she was glad to see further research being done to be sure the decision is well thought out.

Ms. Johnson said that she heard from residents who attended protests and rallies that they were intimidated when they were exercising their First Amendment rights and saw people brandishing weapons. She said that when attending marches and sees weapons that are not on a Police Officer it is intimidating. She noted that this Ordinance clarifies the guidelines that have been in place.

Mr. Livingston asked Chief Kulhawik for a definition of brandishing. Chief Kulhawik said that brandishing is done in a threatening manner. He said that he has not seen that. He said that a few years ago, there was an anti-gun rally outside of City Hall and several people were openly carrying firearms. It was disconcerting to the people, but it was not illegal. He said that if firearms are not permitted on City Hall property they would have been able to ask them to leave and that would have been helpful.

Mr. Sacchinelli thanked Ms. Shanahan and the Committee for taking his comments seriously. He said he is hearing a concern about public safety and would be willing to take this on at the Public Safety Committee.

**** MR. LANGELLA MOVED TO TABLE CHAPTER 38, ARTICLE 1,
SECTIONS 38-1, 38-2, 38-3, 38-4, 38-5 AND 38-6
** MOTION PASSED UNANIMOUSLY BY A SHOW OF HANDS**

7. NEW BUSINESS

There was no new business.

8. DISCUSSION ITEM

There was no discussion item.

9. ADJOURNMENT

**** MR. ROBERTS MOVED TO ADJOURN**
**** MOTON PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 9:09 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services