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Members of the public who wish to "view the meeting live" and/or "provide live comments" can use the Zoom meeting platform by going to either <https://norwalkct-org.zoom.us/j/83880537065> or www.norwalkct.org/meetings and clicking on the "View/Participate Live on Zoom" link that is on the line with the meeting date and time. 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. All speakers must state their name and address. Comments must be on a topic on the agenda, and are limited to three minutes. Anyone disrupting the orderly conduct of the meeting, including by using threatening, hateful, or sexually-explicit language, will be removed.



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 included into the record, they must be submitted by 12:00 p.m. the day of the meeting. Please email Brian Candela at bcandela@norwalkct.gov with the subject line "Public Comment" to provide written public comment prior to the meeting.

COMMON COUNCIL ORDINANCE COMMITTEE **REGULAR MEETING**

September 17, 2024
7:00 p.m. – By Videoconference and Teleconference

AGENDA

- 1. ROLL CALL:**
- 2. PUBLIC HEARING (possible action on):**
- 3. PUBLIC HEARING DISCUSSION:**
- 4. PUBLIC COMMENT:**
- 5. ACCEPTANCE OF MINUTES:**
 - September 3, 2024 – special meeting of the ordinance committee
- 6. OLD BUSINESS:**
 - Discuss and vote on the City of Norwalk Complete Streets ordinance
- 7. NEW BUSINESS:**
 - Discuss and vote on Chapter 90, Department of Operations and Public Works, Sections 90-1 through 90-12
 - Discuss and vote on the draft resolution concerning Sportech Venues, Inc. d/b/a Winners
- 8. DISCUSSION ITEM:**
- 9. ADJOURNMENT:**

**CITY OF NORWALK
ORDINANCE COMMITTEE
SPECIAL MEETING
SEPTEMBER 3, 2024**

ATTENDANCE: Lisa Shanahan, Chair; Josh Goldstein, Johan Lopez, Nora Niedzielski-Eichner, Jalin Sead; Heather Dunn (6:26 p.m.)

OTHERS: Atty. Brian Candela, Council Member Nicole Eaddy

1. ROLL CALL

Council Member Shanahan called the meeting to order at 6:04 p.m. She called the roll. A quorum was present.

2. PUBLIC HEARING
(possible action on)

- **Discuss and vote on revisions to the Ordinance Establishing an Advisory Committee for the Reapportionment of Common Council Voting Districts**

There was no one present who wished to address the Committee at this time.

3. PUBLIC HEARING DISCUSSION

Atty. Candela said that there was a small change in the Ordinance Section 9-27§I, 2024 Transition Provisions where the ordinance states that if the Registrar fails to designate the ex-officio non-voting members, the Deputy Registrar may serve or the President of the Council following consultation with the Chair of the political party of the Registrar who does not serve or appoint a designee shall appoint a representative. The proposed change would be “shall designate a representative of the Registrar.” The reason for this change is this way the President of the Common Council can designate that representative as soon as the ordinance is effective, which would be at the September 10th meeting and this would allow Ms. Diana Paladino to immediately start serving in that capacity as the designee.

**** COUNCIL MEMBER NIEDZIELSKI-EICHNER MOVED TO APPROVE
SUBMITTING THE DOCUMENT AS AMENDED TO THE FULL COMMON
COUNCIL FOR APPROVAL AT THE SEPTEMBER 10TH MEETING.
** THE MOTION PASSED UNANIMOUSLY.**

4. PUBLIC COMMENT

There was no one who wished to comment at this time.

5. ACCEPTANCE OF MINUTES

• August 20, 2024 – Regular Meeting of the Ordinance Committee

Council Members Niedzielski-Eichner and Goldstein noted two changes to the minutes, which Atty. Candela corrected in the document.

**** COUNCIL MEMBER GOLDSTEIN MOVED TO APPROVE THE MINUTES OF THE AUGUST 20, 2024 REGULAR MEETING REVISED.**

**** THE MOTION TO APPROVE THE MINUTES OF THE AUGUST 20, 2024 REGULAR MEETING REVISED PASSED WITH FOUR (4) IN FAVOR (SHANAHAN, GOLDSTEIN, NIEDZIELSKI-EICHNER AND LOPEZ) AND ONE (1) ABSTENTION (SEAD).**

6. OLD BUSINESS

• Discuss and vote on the City of Norwalk Complete Streets ordinance

Council Member Goldstein displayed the document on screen. He then gave a brief overview of the his proposed changed for the document and indicated where the changes were made.

Council Member Shanahan said she would like to thank the Board members and those who had submitted changes and thoughts about the document.

Council Member Niedzielski-Eichner asked about the 30 day deadline for the action and also about whether there should be a public review for the initial guide. Council Member Shanahan said that this was a technical document which usually doesn't require a public hearing. Council Member Niedzielski-Eichner asked for clarification regarding the difference between technical documents and policy documents. Discussion followed.

Council Member Dunn joined the meeting at 6:26 p.m.

Council Member Niedzielski-Eichner also suggested having at least one or two Council Members on the Safe Streets Committee since there will be serious fiscal implications on the public projects. Discussion followed.

Council Member Shanahan noted that this conversation was basically to bring everyone up to speed.

Ordinance Establishing an Advisory Committee for the Reapportionment of Common Council Voting Districts CONT'D.

Regarding the issue of Public Notice for the Advisory Committee for the Reapportionment

of Common Council Voting Districts, Atty. Candela displayed a red line version Section 9 of the Ordinance on screen showing all the changes. Council Member Shanahan stated for the record that the majority of the changes in this section had been previously made and approved by the Committee. The only item that was changed at this Ordinance meeting had to do with the change regarding appointment of a designee for the Registrar of Voters.

Atty. Candela pointed out that extra time had been built in for the deadline. Previously, the 120 day deadline had been changed from September 9th to October 9th to allow Ms. Paladino to have a chance to provide input to the Reapportionment Committee and for the Committee to complete their report.

Atty. Candela noted that the Ordinance changes had been approved by the Committee and would be presented to the Council for approval on September 10th. Then the Reapportionment Committee will have until October 9th to complete their report. The Council will then have an additional 45 days to consider the item. This will conclude on November 23rd. The primary season will start in March, which will allow an ample buffer zone for the State to receive the information before the primaries start.

Council Member Niedzielski-Eichner asked for confirmation that this has been cleared by the Secretary of State's Office and also presented to the current Registrar of Voters. Atty. Candela confirmed this for her.

7. NEW BUSINESS:

There was no new business to consider at this time.

8. DISCUSSION ITEM:

There was no additional items to consider at this time.

9. ADJOURNMENT:

**** COUNCIL MEMBER GOLDSTEIN MOVED TO ADJOURN.**
**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 6:39 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services

COMPLETE STREETS ORDINANCE

§ 1-1. Purpose.

The City of Norwalk continually strives to become a more livable, sustainable, and equitable city. To do that, Norwalk seeks to improve its transportation infrastructure by implementing Complete Streets transportation planning, policy, and design. Complete Streets prioritizes transportation decision-making designed to improve safety, reduce traffic congestion, and increase mobility options. Crucial to achieving these goals is City-wide access to safe, affordable, and equitable multi-modal transportation where residents can easily walk, bicycle, and take transit to everyday destinations within a travel time of 15 minutes from home. Complete Streets policy and design methodology can and should be utilized to make Norwalk a more friendly and flexible transportation destination. In turn, making Norwalk more transportation-friendly will help further stimulate economic and community development, foster more livable and walkable neighborhoods, and enhance local economic vitality and livability.

§ 1-2. Definitions.

For purposes of this Chapter, the following terms have the meanings indicated:

COMPLETE STREETS

An integrated transportation network that is designed and operated to equitably serve the community's mobility, economic, social, recreational, health, and environmental needs. Complete Streets prioritizes safety, convenience, comfort, and equitable access for all users of all ages and abilities, including pedestrians, bicyclists, motorists, micro-mobility users, movers of commercial goods, and transit riders; incorporates opportunities for non-mobility uses of streets, such as commercial, recreational, and social uses; and helps mitigate the causes and impacts of climate change.

COMPLETE STREETS COMMITTEE

A committee comprised of the Complete Streets Coordinator, the Chief of Staff, the Chief of Operations and Public Works, the Chief of Economic and Community Development, the ADA Coordinator, the Chairperson of the Planning & Zoning Commission, and the Chairperson of the Bike/Walk Commission, or their respective designees.

COMPLETE STREETS COORDINATOR

The Director of Transportation, Mobility and Parking shall be the Complete Streets Coordinator. In the event of a vacancy or the elimination of the position of Director of Transportation, Mobility and Parking, the Mayor shall designate a Complete Streets Coordinator who possesses the necessary experience or professional qualifications required under this Chapter to serve until such time as a new Director of Transportation, Mobility and Parking is appointed.

COMPLETE STREETS DESIGN GUIDE/DESIGN GUIDE

The practical, working manual that provides standards and guidance on the planning, design, and building of all current and future streets in the City to meet the objectives of this Chapter. The Design Guide is applied by the City and its relevant departments tasked with the implementation of Complete Streets.

IMPROVEMENT PROJECT

~~New construction, reconstruction, resurfacing, rehabilitation, repair, or maintenance of applicable transportation facilities, or that may affect them, whether such project is funded wholly, partly, or not at all by the City. An Improvement Project does not include ordinary repair designed to keep transportation network facilities in safe working condition, such as mowing, cleaning, sweeping, spot repair, pothole filling, signage repair and replacement, or the like.~~

MOBILITY SYSTEM

The system of infrastructure and technologies that facilitates and supports the flow of people, goods, and services in the City. The term includes related services such as the supply of parking and the management of traffic, in addition to the physical infrastructure and technologies.

PRIORITY COMMUNITIES

Priority Communities are communities or populations that (1) are underserved by the City's Mobility System, (2) are disproportionately negatively impacted by the City's Mobility System, and/or (3) have traditionally suffered adverse impacts as a result of changes to the City's Mobility System. Priority Communities may include Vulnerable Communities, Environmental Justice Communities, and Disadvantaged Communities, as such terms are defined under federal or Connecticut law, and other state or federally defined priority communities.

PUBLIC REALM IMPROVEMENTS

Include, but are not limited to, the installation of street trees, shrubs, grasses, brick pavers, permeable pavers, lighting, benches, and wayfinding signage, in support of a healthier, safer, cleaner, and more attractive city.

SAFE SYSTEM APPROACH

The Safe System Approach aims to eliminate fatal and serious injuries for all road users. It does so through a holistic view of the road system that first anticipates human mistakes and second keeps impact energy on the human body at tolerable levels. The Safe System Approach represents a collaborative and evidence-based effort to create road

environments that prioritize human life and well-being, aiming for a significant reduction in road fatalities and serious injuries.

TRANSPORTATION FACILITY

A facility consisting of the means and equipment necessary for the movement of people or goods including, but not limited to, any road, bridge, tunnel, overpass, ferry, mass transit facility, vehicle parking facility, port facility or similar commercial facility used for the movement of people or goods, together with any buildings, structures, parking areas, appurtenances, and other property needed to operate such facility; however, a commercial or retail use or enterprise not essential to the movement of people or goods shall not be considered a transportation facility.

TRANSPORTATION PROJECT

Any public and/or private land development, project, program, or practice, that occurs in or affects the public right-of-way, including any construction, reconstruction, resurfacing, retrofit, signalization operations, restriping, rehabilitation, restoration, repaving, private development projects, maintenance (excluding routine maintenance, such as mowing, sweeping, spot repair, signage repair or replacement, and the like), alteration, and repair of any public street or roadway within the City (including alleys, bridges, frontage roads, and other elements of the transportation system).

USER GROUP / USER

People who are customarily associated with the use of the street, including motorists, bicyclists, micro-mobility users, pedestrians, and transit riders. Users may also include specialized subgroups, such as shoppers or school children, where a plan, study, or purpose and need statement has identified a current or future need for their accommodation.

§ 1-3. Complete Streets Policy.

- A. It is the policy of the City to implement an integrated and connected Mobility System of Complete Streets that serve all neighborhoods', districts', and populations' current and future needs, including Priority Communities.
- B. All Transportation Projects shall advance the goals of creating equitable, accessible, and convenient travel options along and across streets for Users of all ages and abilities and for all modes of transportation, including motorists, bicyclists, pedestrians, public transportation vehicles and their passengers, delivery trucks, and movers of commercial goods.
- C. The goals of the City further include the following:
 - (1) A Consistent High-quality Mobility System: The City's Mobility System will facilitate multi-modal access. This will include:

- a) Complete and connected off-road trail facilities, including the Norwalk River Valley Trail (NRVT) and the Harbor Loop Trail. These multi-use facilities will provide important connections within the City as well as to neighboring communities, creating both local and regional assets,
 - b) A safe and convenient bicycle network that is an effective element of the City's Mobility System and safe, accessible, and comfortable pedestrian connections to all transit facilities, providing all Users access to public transportation.
- (2) A Safe and Connected Mobility System: Using Norwalk's Mobility System will be safe, regardless of mode. The implementation of this policy aims to eliminate all traffic fatalities and serious injuries on roads within City limits.
 - (3) A 15-minute City: Norwalk will be accessible by walking, bicycling, and/or transit from one destination to another within 15 minutes.
 - (4) A Strong Economy: The City's Mobility System will stimulate the economic vitality of the City, especially its downtown business districts. Economic activity will be supported through high-quality transportation, providing access to jobs, commercial establishments, and social services.
 - (5) A Resilient Environment: Norwalk will have a sustainable Mobility System.
 - (6) An Equitable City: Norwalk will eliminate historical barriers to transportation access. Priority Communities will be accommodated in the planning, designing, funding, construction, and maintenance of Complete Streets.
 - (7) An Attractive Public Realm: The City will have attractive, well-constructed streetscapes that support existing and new public spaces and advance Norwalk's goal of building a healthy, economically vibrant, connected, and environmentally sustainable community.
 - (8) Healthy Residents: The City will utilize Complete Streets to provide opportunities for physical activity, with the goal of reducing obesity, improving mental health, reducing chronic disease, and promoting wellness.

D. The City shall incorporate a Safe System Approach into the design of streets, which prioritizes the elimination of crashes that result in death and serious injuries, and shall work collaboratively across departments and disciplines. The Safe System Approach will take into account that deaths and serious injuries are unacceptable, humans make mistakes, humans are vulnerable, responsibility is shared, safety is proactive, and redundancy is crucial.

§ 1-4. Complete Streets Design Guide.

- A. The City is hereby directed to develop a Complete Streets Design Guide no later than 30 days after the date of adoption of this Chapter. The most recent Norwalk Complete Streets Design Guide shall be available at the City Clerk's Office, and an electronic

version shall be available on the City's website, for the use and examination by the public.

- B. The Complete Streets Design Guide shall be reviewed by the Complete Streets Committee from time to time and, in any event, no less frequently than once every 24 months. The Committee may amend the Design Guide in any manner, provided such amendments are consistent with this Chapter, the City Code, the Plan of Conservation and Development, and the Transportation Master Plan. Any proposed amendments shall be available at the City Clerks' Office, and an electronic version shall be available on the City website, for 30 days before any amendments are finalized, and the public shall be given a mechanism for submitting comments and input during such period.
- C. The Common Council and all City departments, including the Traffic, Mobility and Parking Department, the Planning and Zoning Department, and the Department of Operations and Public Works, shall use the Design Guide and this Chapter to guide implementation of Complete Streets.
- D. In conjunction with the Design Guide, the City may utilize any design standards or guidelines that provide relevant guidance from a reliable professional organization or entity. This includes, but is not limited to, the most current editions of standards and guidelines for street design, construction, operations, and maintenance that promote and support Complete Streets. A list of applicable design standards and guidelines must be contained in the Complete Street Design Guide and shall be amended from time to time.

§ 1-5. Responsibilities of the Complete Streets Coordinator.

The Complete Streets Coordinator shall be responsible for:

- A. Ensuring that all Transportation Projects comply with this Chapter and the Design Guide.
- B. Developing and administering a comprehensive program of City Transportation Projects to effectuate the implementation of this Chapter and the Design Guide in collaboration with the Department of Operations and Public Works and other relevant departments. Establishing benchmarks to ensure the successful implementation of Complete Streets.
- C. Planning for and designing the form, function, classification, and use of the Mobility System to ensure compliance with this Chapter and the Design Guide.
- D. Maintaining and recommending amendments to the Complete Streets Design Guide, which shall include, but not be limited to, maintaining consistency between this Chapter and the Design Guide.
- E. Recommending design standards or guidelines that provide relevant guidance from a reliable professional organization or entity.

- F. Approving the plans, designs, or specifications prepared by a state-certified professionally licensed engineer for the form, function, classification, and use of the Mobility System.
- G. Monitoring and reporting on the City's compliance with this Chapter as provided in § 1-9 below.
- H. Collaborating with the Department of Operations and Public Works and all other relevant departments on the supervision and coordination of public improvements carried out by contract related to the planning, design, construction, and maintenance of the Mobility System.

§ 1-6. Implementation.

- A. The City shall apply the Complete Streets Design Guide, as amended from time to time, to all Transportation Projects within the City, except as may be exempted or excepted under § 1-7 or § 1-8 of this Chapter.
- B. The City shall adopt the Norwalk Complete Streets Design Guide as an amendment to the Norwalk Transportation Master Plan and Plan of Conservation and Development.
- C. The Department of Operations and Public Works, in coordination with the Complete Streets Coordinator and the Department of Transportation, Mobility and Parking, shall be responsible for developing a 3-year improvement schedule and map for the City's roadways that advances the objectives of this Chapter. The schedule and map shall take into consideration (1) the needs of all Users and the equitable distribution of roadway improvements throughout the City, (2) the efficient use of municipal resources to advance the goals and objectives of the Transportation Master Plan and other relevant plans and studies, and (3) the condition of the roadway or related infrastructure. The improvement schedule and map shall be made publicly available on the City's website.

§ 1-7. Exemptions.

- A. A Transportation Project, or portion of a Transportation Project, shall not be required to meet the standards set forth in the Complete Streets Design Guide if the Complete Streets Coordinator finds that any of the following are true:
 - (1) The use of the Transportation Project by an identified User is prohibited by law or regulation;
 - (2) Regulatory compliance requirements preclude or prohibit the Transportation Project, or a portion of the project; or
 - (3) The Transportation Project will have de-minimus impact on the Mobility System, including crack sealing, striping maintenance, cleaning or sweeping, drainage improvements, or signal modifications, or similar activities enumerated in the Design Guide.

- B. Exemptions shall be applied only to those portions of a project that meet the criteria in this section. All remaining portions of the project shall comply with the Complete Streets Design Guide.

§ 1-8. Exceptions.

- A. An exception is required when a project is (1) unable to meet a requirement in the Design Guide or (2) accommodate an identified User. Exceptions shall not be required where an Exemption exists.
- B. The following shall be considered reasonable and appropriate reasons for requiring an exception:
 - (1) Applying a standard would result in adverse impacts to the goals established in this Chapter that significantly outweigh the benefits of the project or of accommodating a User Group.
 - (2) Adhering to the standards would result in exorbitant costs or in Transportation Projects that substantially exceed the identified existing or future benefits.
 - (3) A plan or study adopted by the City with community input after the adoption of this Chapter explicitly states that a Transportation Project is not appropriate or a User Group cannot be accommodated.
 - (4) Applying a standard would result in substantial adverse impacts to the goals or objectives established in an adopted plan, study, policy, or ordinance.

The foregoing is intended by way of example and not as an exclusive list of reasonable and appropriate reasons for requiring an exception.

- C. To seek an exception, an Exception Report, as defined within the Complete Streets Design Guide, documenting the reasons for an exception shall be made to Complete Streets Coordinator. After receiving the Exception Report the Complete Streets Coordinator shall:
 - (1) Approve the following de-minimus exceptions, and permit the project to proceed without further review, if deviations from the standards will have no material impact on:
 - (a) The quality of the Users' experience,
 - (b) The ability of Users to meet their mobility needs, and
 - (c) The ability of the City to achieve the goals established in this Chapter;

- (2) Approve the project with changes that would bring the project into compliance with the Design Guide; or
 - (3) Determine that the project requires an exception.
- D. If the Complete Streets Coordinator determines that a project requires an exception, he or she shall forward the Exception Report to the Complete Streets Committee, which shall have 45 days to review the Exception Report and make a determination. The project shall not progress to construction until the earlier of (1) the end of the 45-day review period (as extended in accordance with subsection E below), and (2) the date the Complete Streets Committee approves the project with or without modifications.
- E. Where a project is especially complex, requires substantial review, or where there are extenuating circumstances that prevent adequate review within the 45-day review period, the Complete Streets Committee may extend the review period for up to an additional 45 days.
- F. In evaluating an Exception Report, the Complete Streets Committee shall consider all relevant information, including public input. If the Complete Streets Committee cannot come to a unanimous conclusion regarding the exception, there must be a vote on the exception, on which the exception is either approved, approved with modifications, or disapproved, in each case by a simple majority. The determination of the Complete Streets Committee shall be made publicly available on the City's website.
- G. An applicant that is denied an exception may take an appeal to the Superior Court in accordance with Connecticut law.
- H. This Chapter shall not apply to projects under construction or with final design approval on or before the effective date of this Chapter. Where active projects have not yet received final design approval, the Complete Streets Coordinator shall determine on case-by-case basis whether the requirements of this Chapter should be incorporated into such projects based on considerations such as, but not limited to, project schedule, available right-of-way, geometric constraints, and project funding.

§ 1-9. Progress Reporting.

The Complete Streets Coordinator shall submit an annual presentation and report to the Common Council that identifies all Transportation Projects entailing third-party costs in excess of \$50,000, or such other amount as the Common Council shall determine, and the progress made in implementing Complete Streets. The annual presentation and report will focus on a comprehensive summary of projects completed within the prior fiscal year that advance Complete Streets. The report shall include, but not be limited to, a detailed list of the number of Exception Reports received and their outcomes and a list and map of all temporary, demonstration, pilot project, or similar activity, regardless of cost, that advance Complete

Streets. Departments involved in the implementation of Complete Streets shall provide appropriate information to support the presentation.

§ 1-10. Effective Date.

This Chapter shall become effective on the earlier of (1) the completion of the Complete Streets Design Guide, and (2) 30 days after the date of adoption by the Common Council.

CHAPTER 90

OPERATIONS AND PUBLIC WORKS, DEPARTMENT OF

§ 90-1. Establishment and functions.

There is established a Department of Operations and Public Works (~~the "Department"~~) which was formerly known as the "Department of Public Works," the functions of which shall include:

- A. The maintenance and repair of all accepted streets and appurtenances and of public ways and public grounds not under the supervision of others.
- B. The collection and disposal of solid waste in accordance with state statutes.
- C. The management and operation of the wastewater treatment plant and collection system. The Chief of Operations and Public Works, who was formerly known as the "Director of Public Works," shall have responsibility ~~to~~ charge, jurisdiction, rights and powers to perform all duties relating to the supervision, operation, repair, maintenance and upkeep of the wastewater system of the City. ~~He/she~~They shall, subject to the orders and directions of the Water Pollution Control Authority, have charge of the sewer system of the Fourth Taxing District and of the care and maintenance thereof and of the construction of all new sewers.
- D. The preparation of or assistance in the preparation of plans and specifications for bidding the construction, demolition, repair, renovation or rehabilitation of municipal improvements and all manner of public works projects carried out by the City.
- E. Collaboration with the Department of Transportation, Mobility and Parking, and all other relevant departments, on the supervision and coordination of public improvements carried out by contract with the City related to the planning, design, construction and maintenance of the Mobility System. The supervision and coordination of all other public improvements carried out by contract ~~to with~~ the City ~~of Norwalk~~ and the performance, direction or inspection of actual conduct of all construction work related to such other public improvements by or on behalf of the City. For purposes of this Chapter, the term "Mobility System" shall have the meaning set forth in the Complete Streets ordinance, as amended from time to time (the "Complete Streets Ordinance").
- F. The prevention of encroachment and excavations in the public streets and highways, except in accordance with duly adopted law and regulation.
- G. The development and administration of a comprehensive program of fleet maintenance services for all City departments, agencies and commissions, with the exception of the Fire Department. The program shall include the acquisition, assignment, disposition, sale and modification of all equipment and related parts and supplies. Acquisition and assignment of police vehicles shall be the responsibility of the Police Department. Acquisition and

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assignment of parks maintenance vehicles and equipment shall be the responsibility of this Department.

- H. The control, development, operation and maintenance of a system of public parks and recreational areas and facilities, ~~including and the operation and maintenance of~~, narrow parkways, boulevard strips, trails and small areas along streets, now in existence or that may hereafter be acquired; ~~and, except that~~ the control, development, management, operation and maintenance of the Oak Hills Park and all other matters relating thereto shall be ~~under a separate department~~, as provided by separate ordinance. ~~Said The~~ Department shall be charged with the construction, protection, repair, furnishing, cleaning, heating, lighting and general care of all public buildings, except school buildings and structures under the jurisdiction of the Board of Education, and the water pollution control plants, pump stations and the solid waste transfer station.
- I. The maintenance of playgrounds, playfields, bathing beaches, swimming pools, recreation centers and other recreation and park activities, areas and facilities.
- J. May plan, set up or place and protect and care for flowers, vines, shrubs and trees to adorn and improve public squares, grounds, boulevards, streets, avenues or spaces within the City.
- K. Shall recommend to the Common Council the institution of condemnation proceedings whenever, in its judgment, private property should be taken in the name of the City for the purposes of the Department.
- L. Shall have the right to call upon any other department of the City government for assistance in performing its duties, and it shall be the duty of such other departments to comply with a proper request of said Department. Any questions as to what shall constitute a proper request for assistance shall be decided by the Mayor.

M. Collaborating with the Department of Transportation, Mobility and Parking, and other relevant departments, in the planning, design, construction, and maintenance of the City's Mobility System in a manner consistent with the Complete Streets Ordinance.

§ 90-2. Chief of Operations and Public Works.

The head of the Department of Operations and Public Works shall be the Chief of Operations and Public Works, who shall be appointed by the Mayor, subject to confirmation by the Common Council, and may be removed by the Mayor at ~~his/her~~their discretion. The Chief shall have had at least five years of applicable executive or administrative experience prior to appointment. ~~Their~~His/her compensation shall be fixed by ordinance. ~~He/she shall be licensed to practice professional engineering in the State of Connecticut or shall become certified to do so within six months of assuming the position of Chief of Operations and Public Works. He/she~~They shall have all the powers and duties hitherto conferred or imposed by law, ordinance or Charter provision on the ~~Commissioner~~Chief of Operations and Public Works and such other duties as may be required of ~~him/her~~them by ordinance.

§ 90-3. Staff.

The Chief is authorized to employ, in compliance with all existing procedures, all necessary assistants and staff for the carrying out of the duties imposed upon ~~him/her/them~~ by this ~~Code~~Chapter.

§ 90-4. Approval of rates and fees.

- A. The Chief shall, with the concurrence of the Common Council, make and alter, from time to time, rates, fines, penalties and fees with respect to operations of the Department. The Chief shall establish rates, fines, penalties and fees to be charged for the various departmental services and functions and shall submit same, hereinafter referred to as the "Fee Schedule," to the Public Works Committee of the Common Council, or its successor, which shall hold a public hearing thereon within 30 days. Said public hearing shall be held upon no less than seven nor more than 14 days' notice of the time and place of such hearing, published in the ~~form of a legal advertisement appearing in a newspaper having substantial circulation in the City~~manner provided in the Charter of the City of Norwalk. Within 30 days of receipt by the City Clerk of notice of the action taken by the Public Works Committee subsequent to such public hearing, the Common Council shall act upon the Fee Schedule. If the Council takes no action within such 30 days, the Fee Schedule shall be deemed approved, and the City Clerk shall issue a notice so stating, which shall be maintained with the records of the Common Council. If the Council votes to disapprove all or a portion of the Fee Schedule, it may ~~itself establish any of such rates, fees, charges or penalties, or may~~ ask the Chief to submit revised proposals to the Common Council to be acted on in accordance with this section.
- B. The Chief shall recommend to the Water Pollution Control Authority rates, fines, penalties and fees, or alterations to same, with respect to operations of the wastewater collection and treatment system. The Chief shall organize proposed rates, fines, penalties and fees to be charged for the various system services and functions, or alterations to same, into the Fee Schedule and submit same to the Water Pollution Control Authority, which shall hold a public hearing thereon within 30 days. Said public hearing shall be held upon no less than seven nor more than 14 days' notice of the time and place of such hearing, published in the ~~form of a legal advertisement appearing in a newspaper having substantial circulation in the City~~manner provided in the Charter of the City of Norwalk. If the Water Pollution Control Authority votes to disapprove all or a portion of the Fee Schedule, it may ~~itself establish any of such rates, fees, charges or penalties, or may~~ ask the Chief to submit revised proposals to the ~~Common Council~~Water Pollution Control Authority to be acted on in accordance with this section. The Chief shall implement the approved Fee Schedule.
- C. The approved Fee Schedules, as they may be modified from time to time in accordance with the procedure set forth in this section, shall be ~~posted at~~available on the City website and in the offices of the City Clerk and the Department of Operations and Public Works at all times and shall be made available for distribution to persons requesting same.

§ 90-5. Principal Engineer.

The Chief shall employ and maintain, as a regular employee, a Principal Engineer of the Department, who shall be a qualified professional civil engineer with at least five years of experience with the design or construction of public works, highways, public utilities and municipal improvements. ~~He/she/They~~ shall be licensed to practice in the State of Connecticut or shall become certified to do so within six months of assuming the position of Principal Engineer. Said Engineer shall provide professional assistance to the Chief concerning engineering projects and shall supervise the Department's engineering and construction administration staff at the direction of the Chief.

§ 90-6. Duties and responsibilities of Chief.

- A. The Chief shall cause to be made and prepared all surveys, maps, profiles, calculations, construction documents, drawings and specifications required for the use of the City and shall cause to be performed all surveying and engineering services which may be required of ~~him/her/them~~ by the Common Council and by each and every department, authority, commission or agency of ~~the~~ City government; provided, however, that the Chief shall not perform or cause to be performed engineering services on behalf of any other department if such engineering services are approved by a qualified professional civil engineer, licensed to practice in the State of Connecticut, where the department managing the project has authorized such approval and where the Principal Engineer has been given an opportunity to review and provide comment. The Chief shall collaborate with and support engineering services required, rendered and/or approved by other City departments.
- B. The Chief shall have the care and custody of all maps and plans of the public works and improvements of the City.
- C. It shall be the duty of the Chief to record, and keep in such manner that they can easily be examined, all surveys and layouts of streets, sewers and public works for which a manuscript, survey or layout is adopted by the Common Council.
- D. It shall be the responsibility of the Chief, in collaboration with the Department of Transportation, Mobility and Parking, to establish and prepare the necessary standard construction specifications, design standards and manuals required for the planning, design, construction and maintenance of the Mobility System in a manner consistent with the Complete Streets Ordinance. It shall also be the responsibility of the Chief to establish and prepare all other necessary standard construction specifications, design standards and manuals required for the operations of the Department, the wastewater collection and treatment system and the parking system, subject to the concurrence of the Public Works Committee of the Common Council, the Water Pollution Control Authority or the Parking Authority.
- E. The Chief shall be charged with the control, development, operation and maintenance of a system of public parks and recreational areas and facilities now in existence or that may hereafter be acquired as further explained in the City Code, including § 90-1 and § 74-23 through § 74-27.

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§ 90-7. Recordkeeping requirements.

- A. The Chief shall keep a written record of all permits and licenses granted under Chapters 90 through 99 of the Code, and such written record shall at all times be open to inspection.
- B. ~~The Chief shall keep a detailed and properly classified account of all expenses in his/her Department, which shall at all times be open to inspection.~~
- C. ~~The Chief shall at the end of each fiscal year complete a report in writing to the Common Council of all work done and money expended under his/her direction during such period.~~
- D. The Chief shall keep a record of complaints made by the public, and shall enter therein all complaints made ~~to him/her~~ concerning streets, highways, sidewalks, gutters, parking facilities, wastewater collection and treatment facilities and public places, and any breach of Chapters 90 through 99 of this Code, together with the action taken by him/her/them with respect thereto.

§ 90-8. (Reserved)

§ 90-9. Effect on taxing districts.

Nothing in §§ 90-1 through 90-8 shall be construed to affect the buildings, structures and properties belonging to the First, Second, Third or Sixth Taxing Districts of ~~said the~~ City or their management and operation. When, in the judgment of the Chief, public safety is or may be adversely affected by work to be performed by the taxing districts, the Chief may at his/her/their discretion make the requirements of this Cchapter and any other appropriate ~~chapter provision of~~ the Code applicable to such taxing district.

§ 90-10. Interference with personnel.

No person shall resist, molest, interfere with or disobey the Chief or his/her/their assistants while engaged in the duty of keeping the streets, sidewalks and public places of the City open and free from obstruction by vehicles, crowds, groups of persons or otherwise.

§ 90-11. Severability.

If any provision, clause or phrase of this Chapter ~~90~~ is adjudged by any court of competent jurisdiction to be invalid or if the applicability thereof to any persons or circumstances is held invalid, such judgment shall not invalidate the remainder, and the applicability thereof to other persons or circumstances shall not be affected thereby.

§ 90-12. Repealer.

Any provisions of the Code of the City of Norwalk inconsistent with the provisions of this chapter are hereby repealed to the extent of such inconsistency.

RESOLUTION NO. _____

APPROVING off-track pari-mutuel wagering on Sundays

WHEREAS, Sportech Venues, Inc. d/b/a Winners (“Winners”) currently operates an off-track betting facility at 24 Burnell Boulevard in Norwalk, Connecticut;

WHEREAS, Winners is not currently open on Sundays for pari-mutuel wagering;

WHEREAS, pursuant to Conn. Gen. Stat. § 12-574a(c), the Department of Consumer Protection and the Gaming Policy Board permit Winners to operate in Norwalk on Sundays for pari-mutuel wagering only upon approval of the legislative body of the municipality in which such facility is located; AND

WHEREAS, it has been determined that the City has no objection to Winners operating pari-mutuel wagering on Sundays and that such operations are likely to increase tax revenue for the City and create additional jobs within the City.

NOW THEREFORE BE IT RESOVLED BY THE COMMON COUNCIL THAT:

Sportech Venues, Inc. d/b/a Winners is hereby authorized to be open on Sundays for pari-mutuel wagering at its location at 24

Burnell Boulevard in Norwalk Connecticut, pursuant to Conn. Gen. Stat. § 12-574a(c).

This resolution is effective upon enactment.



Sportech Venues Inc.
600 Long Wharf Drive
New Haven, CT 06511
USA
Mywinners.com
Bobbyvsrestaurant.com

Norwalk Memo

August 27, 2024

Property: 24 Burnell Blvd, Norwalk, 06850,

Background

Sportech is a global betting and technology company, previously operating in 40 U.S. states and over 30 countries, handling approximately \$1 billion in monthly transactions related to horse racing and charity raffles. Following the sale of certain major operations, Sportech has concentrated its efforts on enhancing its business in Connecticut, with headquarters in New Haven.

Sportech employs approximately 200 people in Connecticut, the majority of whom are licensed by the Department of Consumer Protection (DCP). Over the past 15 years, the company has invested over \$15 million in the state, creating more than 100 jobs.

Sportech owns the Winners venue in Norwalk at 24 Burnell Blvd, which is currently undergoing improvement renovations, including new TVs, upgraded bathrooms, and interior and exterior repainting.

Sportech operates nine locations across Connecticut, including Bobby V's in Stamford and Windsor Locks.

Following the retirement of Ted Taylor, Richard McGuire, Chairman and CEO of Sportech, has taken over leadership. Richard, licensed by the DCP and previously by 40 U.S. states, also held an SEC license during his tenure as Managing Director at Citigroup. He lived in Stamford before the COVID-19 pandemic. Scott Symonds, based in New Haven, manages Sportech's pari-mutuel/horse racing business and has extensive experience in this industry across Connecticut. He is also licensed by the DCP.

Norwalk Operations and Sunday Opening

The physical retail sector faces increasing challenges, and Sunday operations have become crucial for maintaining consumer engagement and providing adequate service. While online services, including Sportech's, offer alternatives, a shift towards online over physical attendance could jeopardize job growth and local economic benefits.



Sportech, Inc.
600 Long Wharf Drive
New Haven, CT 06511
USA
sportechplc.com
sportech.net

Sportech has operated in Norwalk for over 10 years, but the Norwalk location is the only one not currently open on Sundays. Sportech has Planning & Zoning approval and the State has no objections to it opening on Sundays; however, if Sportech were to open on Sundays it could not offer its customers pari-mutuel or horse race wagering without approval from Norwalk's Common Council. If approved, Sunday operations would result in the hiring of approximately four new local employees.

When Winners originally opened in Norwalk unless you went to Winners you had to physically go to the race track or jai alai Fontan to place a wager. At that time, there were some that believed if Winners were unable to accept wagers on Sundays more citizens would attend church. However, today, because of the legalization of online wagering, anyone looking to wager on horse racing can currently simply go to any sports bar in Norwalk (all of which are open on Sundays) and place wagers on their phones (or they can wager from the comfort of their home on Sundays). Winners could even open on Sundays without Common Council approval without allowing customers the ability to place wagers at counters in the facility; patrons would still legally be able to use their cell phones and place wagers online through gambling applications. As a result of these changes in technology and the broad legalization of online gaming, Winners is at a substantial competitive disadvantage in Norwalk. Additionally, Norwalk loses revenue as a result of the current framework.

In addition to the creation of four new, local, jobs, the City would receive additional tax revenue from Winners being open on Sundays. The State imposes a 3.50% betting levy on all horse racing wagers, which represents approximately 27% of gross profit. The City of Norwalk receives 1.60% of the wagering handle from the State, and Sunday openings will support that, it is estimated that the City will receive around \$80,000 annually from this location in Pari Mutual levy alone. This City does not receive any tax revenue from online wagering.



Sportech, Inc.
600 Long Wharf Drive
New Haven, CT 06511
USA
sportechplc.com
sportech.net

Proposal

Sportech is investing in its current portfolio of nine locations and plans to add two more. Sunday operations are essential for any retail consumer business, especially in the sports sector.

When Sportech first opened in Norwalk, customers had to visit a physical location, such as Winners, a racetrack, or a jai alai venue, to place a wager. However, technology and legislation have significantly evolved since then. Today, Connecticut residents can place sports bets and pari-mutuel wagers online from anywhere, including on Sundays. This makes it even more critical for Sportech to offer Sunday operations for pari-mutuel wagering in Norwalk.

Sportech is open on Sundays at all other Connecticut locations and asks the City Council to propose and approve a resolution allowing Winners to be open on Sundays for pari-mutuel off-track betting in Norwalk.

Current other Sportech Locations in Connecticut
Stamford, Milford, New Haven, Waterbury, Manchester, Hartford, Windsor Locks & New Britain

Thank you for your time

Richard McGuire
Executive Chairman