

**CITY OF NORWALK
ORDINANCE COMMITTEE
REGULAR MEETING
SEPTEMBER 17, 2019**

ATTENDANCE: Eloisa Melendez, Chair; Michael Corsello; Colin Hosten;
Thomas Livingston; Beth Siegelbaum; Chris Yerinides

STAFF: Brian Candela, Corporation Counsel

1. ROLL CALL

Ms. Melendez called the meeting to order at 7:00 p.m. and called the Roll.

2. PUBLIC HEARING (possible action on):

Ms. Melendez opened the public hearing at 7:01 p.m.

*Public participation comments are not verbatim and represent a summarization of statements
unless otherwise noted.*

**DISCUSS AND VOTE ON CODE OF ETHICS SECTION 32-9 - SPECIFIC
VIOLATIONS;**

**DISCUSS AND VOTE ON CODE OF ETHICS SECTION 32-11 - SUBSEQUENT
EMPLOYMENT;**

**DISCUSS AND VOTE ON CODE OF ETHICS SECTION 32-13 - EFFECT OF
VIOLATION;**

**DISCUSS AND VOTE ON CODE OF ETHICS SECTION 32-14 - TIME LIMITS
ON COMPLAINTS;**

**DISCUSS AND VOTE ON CODE OF ETHICS SECTION 32-15 - PROPOSED
REVISIONS;**

Ms. Diane Lauricella spoke about the Code of Ethics and asked that an educational component be added to the ordinance.

No other members of the public wished to speak and the public hearing was closed at 7:04 p.m.

Ms. Melendez opened the public hearing at 7:04 p.m.

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

DISCUSS AND VOTE ON USE OF SINGLE-USE PLASTIC STRAWS AND STIRRERS BY FOOD OR BEVERAGE ESTABLISHMENTS

Ms. Anna Keegan, Acting Director, Human Relations asked the Committee to keep the Ordinance as written because it strikes an excellent compromise. She noted that if straws are regulated, they will become more expensive and medicalized.

Mr. Samuel Price said he supported the ordinance as written. People will be very uncomfortable if they are required to disclose their disability to get a straw.

Ms. Diane Lauricella agreed with the other two speakers, and said that having the public request a straw without giving a reason is fine.

Ms. Betty Ball, Skip the Plastic spoke in support of the ordinance. She gave an overview of the impact plastic straws have on the environment. She said the solution is that they should be dispensed on demand.

No other members of the public wished to speak and the public hearing was closed at 7:12 p.m.

Ms. Melendez opened the public hearing.

No members of the public wished to speak.

DISCUSS AND VOTE ON CHAPTER 103, ARTICLE III, SECTION 103-6 (TAX RELIEF FOR THE ELDERLY AND DISABLED HOMEOWNERS - ELIGIBILITY);

DISCUSS AND VOTE ON CHAPTER 103, ARTICLE III, SECTION 103-7 (TAX RELIEF FOR THE ELDERLY AND DISABLED HOMEOWNERS - FILING OF APPLICATION); AND

DISCUSS AND VOTE ON CHAPTER 103, ARTICLE III, SECTION 103-12 (TAX RELIEF FOR THE ELDERLY AND DISABLED HOMEOWNERS - AMOUNT OF BENEFITS; ANNUAL ADJUSTMENT).

No other members of the public wished to speak and the public hearing was closed at 7:12 p.m.

3. PUBLIC HEARING DISCUSSION

DISCUSS AND VOTE ON CODE OF ETHICS SECTION 32-9 - SPECIFIC VIOLATIONS;

DISCUSS AND VOTE ON CODE OF ETHICS SECTION 32-11 - SUBSEQUENT EMPLOYMENT;

DISCUSS AND VOTE ON CODE OF ETHICS SECTION 32-13 - EFFECT OF VIOLATION;

DISCUSS AND VOTE ON CODE OF ETHICS SECTION 32-14 - TIME LIMITS ON COMPLAINTS;

DISCUSS AND VOTE ON CODE OF ETHICS SECTION 32-15 - PROPOSED REVISIONS;

The Committee members discussed sections of the Code of Ethics and made recommendations.

**** MR. CORSELLO MOVED TO AMEND THE CODE OF ETHICS SECTION 32-11 A & B AS DISCUSSED**

**** MOTION PASSED UNANIMOUSLY**

**** MR. CORSELLO MOVED TO SEND THE CODE OF ETHICS SECTION 32-11 A & B AS AMENDED TO THE FULL COMMON COUNCIL**

**** MOTION PASSED UNANIMOUSLY**

DISCUSS AND VOTE ON USE OF SINGLE-USE PLASTIC STRAWS AND STIRRERS BY FOOD OR BEVERAGE ESTABLISHMENTS

The Committee members discussed stir sticks and lid plugs. Mr. Hosten asked if there is a non-plastic alternative.

**** MR. LIVINGSTON MOVED TO AMEND THE ORDINANCE TO BECOME EFFECTIVE APRIL 22, 2020 AND MOVED IT TO THE FULL COMMON COUNCIL**

**** MOTION PASSED UNANIMOUSLY**

DISCUSS AND VOTE ON CHAPTER 103, ARTICLE III, SECTION 103-6 (TAX RELIEF FOR THE ELDERLY AND DISABLED HOMEOWNERS - ELIGIBILITY);

DISCUSS AND VOTE ON CHAPTER 103, ARTICLE III, SECTION 103-7 (TAX RELIEF FOR THE ELDERLY AND DISABLED HOMEOWNERS - FILING OF APPLICATION); AND

DISCUSS AND VOTE ON CHAPTER 103, ARTICLE III, SECTION 103-12 (TAX RELIEF FOR THE ELDERLY AND DISABLED HOMEOWNERS - AMOUNT OF BENEFITS; ANNUAL ADJUSTMENT).

**** MR. CORSELLO MOVED THE ORDINANCE TO THE COMMON COUNCIL AS PRESENTED**
**** MOTION PASSED UNANIMOUSLY**

4. PUBLIC COMMENT

Ms. Diane Lauricella asked for clarification on the tax exemption for solar energy. She asked the Committee to consider adding geothermal systems and air sourced heat pumps. She also talked about the noise ordinance. She said there is a problem with enforcement, especially on Washington Street.

5. ACCEPTANCE OF MINUTES

August 20, 2019 - ordinance committee meeting

The following corrections were made to page 2:

Correct spelling of composted and schools

**** MR. LIVINGSTON MOVED TO APPROVE THE MINUTES AS CORRECTED**
**** MOTION PASSED WITH TWO (2) ABSTENTIONS (MR. HOSTEN AND MS. MELENDEZ)**

6. OLD BUSINESS

Discuss and vote on Tax Exemption for Solar Energy, Chapter 103, Article II, Sections 103-3 and 103-4

This item will be discussed further at future meetings.

7. NEW BUSINESS

DISCUSS AND VOTE ON CODE OF ETHICS SECTION 32-16 -INCURRING COSTS BY BOARD OF ETHICS; STAFF;

DISCUSS AND VOTE ON CODE OF ETHICS SECTION 32-17 - REPRESENTATION OF RESPONDENT BY CITY;

Ms. Kara Murphy, Ethics Commission reviewed Sections 32-16 and 32-17.

**** MR. CORSELLO MOVED TO AMEND SECTION 32-17 AS DISCUSSED
** MOTION PASSED UNANIMOUSLY**

DISCUSS AND VOTE ON BIKE WALK ADVISORY COMMISSION SECTION 20-1(B) - COMPOSITION; APPOINTMENT; TERMS; VACANCIES; COMPENSATION;

Ms. Nancy Rosett of the Bike/Walk Commission was present and the Committee members discussed the proposed revisions. Mr. Rosett said the requested changes reflect the structure in governance. Mr. Livingston said he would like to have a person responsible, rather than a department.

**** MR. LIVINGSTON MOVED TO AMEND SECTION 20-10(B) AS AMENDED
** MOTION PASSED UNANIMOUSLY**

**** MR. LIVINGSTON MOVED TO HOLD A PUBLIC HEARING ON THE ITEM AS AMENDED
** MOTION PASSED UNANIMOUSLY**

DISCUSS AND VOTE ON CHAPTER 58A - BLIGHT PREVENTION SECTIONS 58A-1 - DEFINITIONS;

Mr. Candela said he will work with Mr. Ireland to revise the language. The Blight Officer explained they take into consideration the overall appearance of the property. Ms. Casey explained the process when a blight complaint is received. She said they typically help support the property clean up through a lien, but that requires the permission of the property owner. She noted that the Blight Ordinance was established in Norwalk in 2014 and as a result the City was able to help a lot of people. The Blight Officer said that they do not get a lot of push back from the property owners and most times they do not have to impose a fine. Fines are used as a last resort. They are empathetic to residents who do not have the ability to fix their homes.

Ms. Casey said that as part of the re-organization, they are creating a Neighborhood Team that will be mobilized to use the blight funds to make improvements. It was noted that Blight Officers can only act on a complaint.

**DISCUSS AND VOTE ON NEW PROVISION OF CHAPTER 26 - BUILDING CODE
- FEES ASSESSED;**

Mr. Hosten asked about the rationale of the building fee. Mr. Candela said they are an attempt to keep people from not beginning work until they get a building permit. He said he will ask Mr. Ireland to attend the next Ordinance Committee meeting.

- ** MR. LIVINGSTON MOVED THE NEW PROVISION OF CHAPTER 26 TO A
PUBLIC HEARING**
- ** MOTION PASSED UNANIMOUSLY**

The Committee members discussed the following sections and made recommendations.

- ** MR. LIVINGSTON MOVED THE FOLLOWING ITEMS AS AMENDED TO A
PUBLIC HEARING**

**DISCUSS AND VOTE ON CHAPTER 21, SECTION 21-2 - PERMIT OBTAINED
FROM BUILDING INSPECTOR;**

**DISCUSS AND VOTE ON CHAPTER 95A, SECTION 95A-3 - LITTERING AND
ILLEGAL DUMPING PROHIBITED;**

**DISCUSS AND VOTE ON CHAPTER 94, SECTION 94-6 - UNLAWFUL
DEPOSIT;**

DISCUSS AND VOTE ON THE FOLLOWING SECTIONS IN CHAPTER 95

**SECTION 95-1- DEFINITIONS;
SECTION 95-5 - LITTERING PROHIBITED;
SECTION 95-7- GRASS AND WEEDS; AND
SECTION 95-10 - SNOW AND ICE REMOVAL FROM SIDEWALKS AND
DRIVEWAYS.**

- ** MOTION PASSED UNANIMOUSLY**

8. DISCUSSION ITEM

Discuss and vote on Chapter 68 - Noise Ordinance as well as an update on Noise Ordinance concerning the following:

DEEP's initial review of Norwalk's proposed noise ordinance;

Mr. Zwerling's comments in response to DEEP's initial review of Norwalk's proposed noise ordinance;

DEEP's response to Mr. Zwerling's comments concerning DEEP's initial review of Norwalk's proposed noise ordinance

Mr. Candela explained that at the last Ordinance Committee meeting they looked at what DEEP said and Mr. Zwerling's response. DEEP offered to review the comments. He asked for responses by last Friday and reached out to remind them, but DEEP did not respond. He said he hopes to have a response by the next meeting. He added that he will follow up with them early next week.

9. ADJOURNMENT

**** MR. LIVINGSTON MOVED TO ADJOURN**

**** MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 8:43 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services