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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

August 20, 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:**
 - July 16, 2024 – regular meeting of the ordinance committee
- 6. OLD BUSINESS:**
- 7. NEW BUSINESS:**
 - Discuss and vote on revisions to the Ordinance Establishing an Advisory Committee for the Reapportionment of Common Council Voting Districts
 - Discuss the Vape Shop proposed ordinance following a presentation
- 8. DISCUSSION ITEM:**
- 9. ADJOURNMENT:**

**CITY OF NORWALK
ORDINANCE COMMITTEE
REGULAR MEETING
JULY 16, 2024**

ATTENDANCE: Lisa Shanahan, Chair; Josh Goldstein, Johan Lopez, Nora Niedzielski-Eichner, Jalin Sead

STAFF: Atty. Brian Candela

OTHERS: Nicole Eaddy

Via Videoconference and Teleconference

ROLL CALL

Council Member Shanahan called the meeting to order at 7:02 p.m. A quorum was present.

PUBLIC HEARING

- **Discussion and vote on Chapter 69 – Norwalk Harbor, Article I – General Regulations, §§ 69-1, 69-5, 69-6.**
- **Discussion and vote on Chapter 69 – Norwalk Harbor, Article III – Norwalk Harbor Management Commission, §§ 69-20, 69-21, 69-22, 69-24, 69-25 (proposed new section)**
- **Discussion and vote on Chapter 66A – Mooring and Anchoring, Article I – Rules and Regulations: §§ 66-A-3, 66-A-9, 66-A-12, 66A-20**
- **Discussion and vote on Chapter 66A – Mooring and Anchoring, Article II – Permit Fees: §§ 66A-26; 66-A-27**

Council Member Shanahan explained that the Committee members would be considering all the of the items at one time. She then opened the public hearing portion of the meeting and asked if there was any member of the public present. There were no members of the public on the call that wished to speak at this time.

Atty. Candela said that Ms. Sue Powers had submitted an email.

PUBLIC HEARING DISCUSSION

Atty. Candela said that Ms. Powers had asked in her email if they would be taxing boat slips on the Norwalk River. He then made the following statement:

Generally speaking, the changes that are seen in Chapters 69 and 66A are cleaning up the language that make clear that there is a mooring fee schedule. This language also makes clear that process to modify or revise the fee schedule. Specifically answering Ms. Power's question, nothing has changed with the Harbor Management geography based on the revisions to this ordinance. It remains identical. Only mooring field are currently subject to the fee. There are no fees for boat slips. That could change however, if the Harbor Management Commission proposes fees in the future, which would, of course, be subject to Common Council approval. But as it pertains right now, the only changes are we're modifying the process to make the fee schedule process more clear and we're making clear to everybody that there is a mooring fee schedule. The geography didn't change and the fact that it's only for mooring field fees is the only thing and not for boat slips as of yet.

There were no additional comments or concerns from the Council Members at this time.

**** COUNCIL MEMBER SHANAHAN MOVED TO REFER THE FOLLOWING ITEMS:**

- **CHAPTER 69 – NORWALK HARBOR, ARTICLE I – GENERAL REGULATIONS, §§ 69-1, 69-5, 69-6.**
- **CHAPTER 69 – NORWALK HARBOR, ARTICLE III – NORWALK HARBOR MANAGEMENT COMMISSION, §§ 69-20, 69-21, 69-22, 69-24, 69-25 (PROPOSED NEW SECTION)**
- **CHAPTER 66A – MOORING AND ANCHORING, ARTICLE I – RULES AND REGULATIONS: §§ 66-A-3, 66-A-9, 66-A-12, 66A-20**
- **CHAPTER 66A – MOORING AND ANCHORING, ARTICLE II – PERMIT FEES: §§ 66A-26; 66-A-27**

**TO THE FULL COMMON COUNCIL TO SCHEDULE A PUBLIC HEARING.
** THE MOTION PASSED UNANIMOUSLY.**

PUBLIC COMMENT

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

ACCEPTANCE OF MINUTES

- **June 18, 2024 – Regular Meeting of the Ordinance Committee**

Council Member Shanahan said that Council Member Niedzielski-Eichner had not left the meeting, but may have briefly fallen off the call. Council Member Niedzielski-Eichner said that she occasionally will turn her camera off for better streaming.

The following correction was made:

Please strike the comment regarding Council Member Niedzielski-Eichner leaving the meeting.

**** COUNCIL MEMBER NIEDZIELSKI-EICHNER MOVED THE MINUTES OF THE JUNE 18, 2024 REGULAR MEETING AS CORRECTED.**

**** THE MOTION TO APPROVE THE MINUTES AS CORRECTED PASSED UNANIMOUSLY.**

OLD BUSINESS

There was no old business to consider at this time.

NEW BUSINESS

There was no new business to consider at this time.

DISCUSSION ITEM

There were no additional items to discuss at this time.

ADJOURNMENT

**** COUNCIL MEMBER NIEDZIELSKI-EICHNER MOVED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:09 p.m.

Respectfully submitted,

S. L. Soltes

Telesco Secretarial Services

Candela, Brian

From: Sue <sue0317@aol.com>
Sent: Tuesday, July 16, 2024 4:14 PM
To: Candela, Brian
Subject: Common council meeting 7/16/24

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from sue0317@aol.com. [Learn why this is important](#)

CAUTION: EXTERNAL Email: Don't open links or attachments from untrusted senders

Hi Brian, I apologize if this is late. I can ask during the meeting tonight if it doesn't make it into public comments. But my question is does the article proposed propose to tax boat slips on the Norwalk River? Thank you, Sue Powers

Sent from the all new AOL app for iOS

Article IX Reapportionment Advisory Committee

[Added 2-27-2024]

§ 9-25 Common Council and Board of Education Voting Districts.

- A. Common Council Districts. In accordance with § 3-4A(1) of the Charter, the City shall be divided into five Council Districts, each of which shall be represented by two elected members on the Common Council ("Council Districts").
- B. Board of Education Districts. In accordance with § 3-4B(1) of the Charter, the City shall be divided into five Board of Education ~~fg~~Districts, which shall correspond to the five Council Districts, each of which shall be represented by one elected member on the Board of Education.
- C. At-large members of the Common Council and Board of Education. The number of elected Councilmembers-at-Large must be equivalent in number to the number of Council Districts as may exist, from time-time time, in accordance with § 3-4A(2) of the Charter. At the time of the adoption of this chapter there are five at-large members of the Common Council. Moreover, there are four at-large members of the Board of Education, in accordance with § 3-4B(2) of the Charter, elected in the manner set forth in § 3-4B(3) of the Charter. The elected at-large members are not subject to the periodic reapportionment required by the General Statutes, § 3-4A(3) of the Charter, or this chapter.

§ 9-26 Standards pertaining to reapportionment.

The reapportionment of Council Districts shall conform to federal and state constitutional standards and statutory requirements. Accordingly, the Council Districts shall be:

- A. Of substantially equal population; and
- B. To the extent possible consistent with the preceding, established in compact and contiguous form following geographical divisions, considering communities of interest and historical boundary lines and shall further use best efforts to include the boundary lines of the Taxing Districts as defined in the Charter within a single Council District where practicable; and
- C. To the extent possible consistent with the preceding, established in accordance with the requirements of C.G.S. § 9-169f.

§ 9-27 The Reapportionment Advisory Committee: Appointment Date.

[Amended 5-28-2024]

- A. ~~A.~~—Appointment. No later than 30 days following the completion of reapportionment of the General Assembly, as required by the Constitution of the State of Connecticut, as further set forth in the General Statutes, a Reapportionment Advisory Committee consisting of seven members, no more than three of whom shall be of the same political party, shall be appointed by the President of the Council, following consultation with the Majority and Minority Leaders of the Council, and approved by a majority vote of the Council. In addition to consulting with the caucus leaders of the Council, the President shall consult with civic, political and community leaders in order to seek members reflecting the diversity of the residents as well as the geographic representation required by the Charter.
- B. ~~B.~~—Ex-officio non-voting members. The Registrars of Voters ~~or a designee~~, shall serve as ex-official non-voting members of the Reapportionment Advisory Committee.

C. ~~C.~~ Appointment date. The date the Common Council approves the Reapportionment Advisory Committee shall be the "Appointment Date."

D. Appointment and Duties of Officers. The committee shall appoint a chair and such other officers as may be necessary for its proper function, by a majority vote of those present and voting. The Chair, as presiding officer, shall comply with the provisions of the Charter and rules of procedure that govern the conduct of Boards and Commissions in the City; or, rules that may be adopted by the committee.

E. Record-keeping and posting of Agendas. The committee shall keep records and post notices of meetings and agendas as required by Law;

F. Minority Party Representation. The appointment of the committee shall comply with the minority party representation provisions of §7-1.B(6) of the Charter.

G. Public Access and Comment. The Committee shall comply with the requirements of the Charter, Ordinance and any rules it may establish pertaining to public access, comment and inter-action (including, but not limited to, public speaking, comment and any applicable rules and protocols).

H. Frequency of regular Meetings. The committee shall comply with the requirements of the Charter and any rules it may establish regarding mandatory attendance requirements.

D-I. 2024 Transition provision. The Reapportionment Advisory Committee shall be approved by the Common Council not later than 120 days following the effective date of this chapter appointment of the Committee. 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.

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§ 9-28 Reapportionment Advisory Committee.

- A. Written Report ("Report"). The Reapportionment Advisory Committee shall provide a Report, in writing, to the Common Council no later than 180 days following the Appointment Date, which shall include a tentative map setting forth the recommended boundaries of the five Council Districts.
- B. Data and resources. The Advisory Committee may utilize demographic data assembled by the City, computer resources of the City, and such other third-party resources and facilities as the Council may deem desirable to carry out the purpose of this chapter.
- C. Public Hearing. The Reapportionment Advisory Committee shall hold at least one Public Hearing no less than one week before it submits its Report to the Common Council, and shall make a tentative map of its proposed districts available to the public in accordance with the requirements of the Charter at least five days before the Public Hearing. The Public Hearing Notice shall include the contents of the Report including a copy of a map illustrating the boundary lines of each of the proposed Council Districts.
- D. Action by the Reapportionment Advisory Committee. On the basis of information elicited at the public hearing, the Reapportionment Advisory Committee may thereafter alter the Report. Approval of the Report shall require the affirmative vote of, at least, five members of the Reapportionment Advisory Committee.
- E. Transmittal to the Common Council: Receipt Date. The Report shall be submitted to the Common Council by filing with the City Clerk and the Town Clerk. Receipt of the Report shall be

deemed to be the date upon which it is filed with the City Clerk ("Receipt Date"). The City Clerk shall transmit the Report to the Common Council.

- F. Failure to file Report. If the Reapportionment Advisory Committee fails to file the Report with the Town Clerk by the close of business no later than the 180th day following the Appointment Date, the provisions of § 9-30 of this chapter shall be invoked.

G. 2024 Transition Provision. The Reapportionment Advisory Committee shall file the Report to the Common Council no later than ~~90~~**120** days following the Appointment Date. In all other respects the provisions of § 9-28 shall remain in full force and effect; unless the Committee fails to file a report. In that event the provision of §9-30 of this chapter shall be invoked.

Commented [SGM1]: 90 days = September 9.
120 days + October 9.

§ 9-29 Actions of the Common Council.

- A. Time-frame. The Common Council shall vote on the establishment of Common Council Districts within 45 days of its receipt of the Report.

Commented [SGM2]: 45 days = November 23

- B. Public Hearing and deliberations. The Common Council may amend the district boundaries recommended by the Reapportionment Advisory Committee before approving Council Districts, following at least one Public Hearing as required by § 4-8B of the Charter. Nevertheless, the Council Districts approved by the Common Council must comply with the standards of § 9-26 of this chapter.

- C. Voting standard. Approval of the Council Districts must be affirmatively supported by a Majority Vote of the Common Council, as defined in the Charter.

- (1) Approval or modification of the Report. If the Report is approved or modified by the Common Council it shall be deemed adopted, as an ordinance, in compliance with the requirements of the General Statutes and have the full force of law and become effective for the next municipal election following Reapportionment.
- (2) Rejection or failure to timely act. If the Report is rejected or not acted upon in accordance with the time limitations set forth in § 9-29A, above, then the Mayor shall appoint a Second Reapportionment Advisory Committee as set forth in § 9-30, below.

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§ 9-30 Role of the Mayor, if necessitated by failure of the Reapportionment Advisory Committee to Act or the Common Council to approve.

- A. Appointment of a Second Reapportionment Advisory Committee by the Mayor. If the Reapportionment Advisory Committee shall fail to file the Report as set forth in § 9-28D, above, or if the Common Council shall fail to approve Council Districts within the time limit established by § 9-29D, the Mayor, within five days of notice from the Town Clerk of the precipitating action, shall appoint a Second Reapportionment Advisory Committee comprised of three members. Each member shall have a different political party affiliation or no party affiliation; thus, no political party shall attain a majority of the members. The Mayor shall consult with civic, political and community leaders in order to seek members reflecting the diversity of the residents as well as the geographic representation required by the Charter.
- B. Deliberations. The Second Reapportionment Advisory Committee shall file a report with the Town Clerk delineating Common Council District boundaries within 21 days of its appointment. Approval of the Report shall require the affirmative vote of, at least, two members of the Advisory Committee.
- C. Standard for approval. The Report of the Second Reapportionment Advisory Committee shall be subject to approval by a Majority Vote of the Council, as defined in the Charter, within one week of the filing with the Town Clerk. Once approved this provision, in furtherance of the

requirements of the constitutional standard, federal law and state law; and, thus, shall have the full force of law and become effective for the next municipal general election following its approval.

§ 9-31 Publication of the adopted Report.

Upon receiving such adopted ordinance (incorporating the contents of the Report), the Town Clerk shall publish and record the same in the same manner as ordinances are required to be published and recorded as set forth in the Charter, and upon such publication and recording, such plan shall have the full force of law.