

**CITY OF NORWALK
ORDINANCE COMMITTEE
JULY 19, 2022**

ATTENDANCE: Lisa Shanahan, Chair; David Heuvelman; Dominique Johnson;
Joshua Goldstein; Thomas Livingston; Brian Meek; Nora
Niedzielski Eichner

STAFF: Brian Candela, Corporation Counsel

ROLL CALL

Ms. Shanahan called the meeting to order at 7:03 p.m. and called the roll as indicated above.

PUBLIC HEARING – possible action on

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

Discuss and vote on Chapter 17 (Aquifer Protection Agency), Section 1 (Designation; membership; technical training)

There was no public comment and Ms. Shanahan closed the public hearing.

PUBLIC HEARING DISCUSSION

**** MR. LIVINGSTON MOVED TO SEND CHAPTER 17 (AQUIFER PROTECTION AGENCY), SECTION 1 (DESIGNATION; MEMBERSHIP; TECHNICAL TRAINING) TO COMMON COUNCIL FOR A VOTE**

**** MOTION PASSED UNANIMOUSLY**

PUBLIC COMMENT

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

Margaret Watt, Norwalk Partnership

Ms. Watt said she was addressing the amended ordinance on cannabis. She said she
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was interested in seeing the changes.

She said that she'd been attending national conferences on marijuana, and there was a lot of data coming from cities where it had been legalized. She noted that places like Colorado were trying to dial back their laws

She addressed the idea of consumption spaces, noting that it was dangers, and it would be hard to manage. She said she hoped they'd start with something small and manageable.

She also noted that it made sense for the city Community Services Department to manage marijuana funds. She noted that perhaps some of the monies could be used to fund awareness campaigns about the dangers of cannabis use.

ACCEPTANCE OF MINUTES

June 21, 2022 – regular meeting

**Page 5, second paragraph of new business to read, “Mr. Livingston said he did not hear from any other commission and that this was just a technical change”.

** Page 5, Resolution to read “to approve the change to Chapter 17, Section 1 and refer it public hearing”.

**Page 2, Paragraph 2, Sentence 3 change to “Ms. Johnson noted it is important for the city adopt this ordinance because they can't expect homeowners to restrict their pesticide use if the city is not doing it”

**** MR. HEUVELMAN MOVED TO APPROVE THE MINUTES AS AMENDED**

**** MOTION PASSED 5-0 WITH TWO ABSTENTIONS (SHANAHAN, MEEKS)**

OLD BUSINESS

Discuss and vote on Cannabis ordinance

Mr. Goldstein reviewed changes in the ordinance. He noted that definitions were based on state definitions. He said that definitions of terms that weren't referred to in the ordinance were omitted.

On Section 1-4, he said that there was a new sentence that “there will be no more than three retailers in the city”, because the state had changed its requirements. He said that excluded dispensaries.

On Section 1-5 C He noted that the word “consumption” wasn't defined in the state statute

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or the city code, so the definition of the term prevailed. He said that was consumption in any form.

He said that also in that section, he wanted to change the sentence to read: “multilingual visible signage”. There was discussion of what languages should be on there. Ms. Shanahan said that they should keep it at multilingual so it can be changed as the population changed.

On section 1-9 Mr. Goldstein said section B had been rewritten about the annual solicitation of application for funds from account. He said the change was that the Chief of Community Services would send a summary of all conforming applications to the Community Services Committee with recommendations to vote on as a whole. He noted there would be no line-item veto. He said that made for a streamlined and non-partisan process.

There was discussion of the summary, Mr. Heuvelman asked why they had to see all the conforming applications, when the Community Services experts were recommending certain approvals. Ms. Shanahan said that for transparency, the committee should see all the applications.

Ms. Johnson said that it felt like the community services committee would leave itself open to people demanding changes. Ms. Johnson said the function of the vote was that you had to approve all or none. He said the hope was that for groups that didn’t get it this year would reapply. Ms. Johnson suggested that they get the information in executive session, so non-profits didn’t lose out on funding publicly. Mr. Goldstein said it was a FOIA issue. Mr. Livingston noted that it was a “summary” and didn’t necessarily need names. Ms. Shanahan said that with government transparency they should expect to use names, she noted that there was no shame in not getting a grant.

Mr. Goldstein said that they were working on a list of sites around the city for public consumption that would conform with the map rules. He said they had 20 sites that would be feasible. He said that the forthcoming amendments to the zoning regulations would deal with the maps of eligible locations for retail sites and for public consumption of cannabis. He said the wanted to ensure that they didn’t designate the whole city, but a few sites at the mayor’s discretion.

Mr. Goldstein said they were required by state law if allow retail sale to designate a public spot. He said that if no spot was designated, people would be able to smoke wherever except in places specifically named. He noted that Milford had recently dedicated a portion of a street, but that Norwalk was approaching it differently based on the size of the city.

Mr. Candela said that section 1-5 covered this, he said that if they didn’t specify, they could consume anywhere except the places where it was specifically prohibited. Mr. Goldstein said that it was required by the state. Mr. Heuvelman said there was no language that made the public space conform to the same specifications as the retail space.

Mr. Goldstein said analysis had begun of maps to make recommendations. Mr. Candela said it would be helpful to have the maps for the public.

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Ms. Johnson said that she wanted to be clear that they would be open to amending the ordinance as needed, because this was not an exact science. Ms. Shanahan said that they'd used the designation 'at the mayor's discretion' so they weren't codifying something that didn't work.

Ms. Johnson asked about a section which Ms. Shanahan said they'd intended to delete.

Mr. Candela said the ordinance was the skeleton to allow retail establishment and parameters, he said the meat and bones would likely come from zoning regulations. Mr. Goldstein added that it would also regulate the funds.

Mr. Heuvelman asked if they were locking the mayor into a decision with the map and asked why they were looking at it in a public meeting. Ms. Shanahan said they specifically said it was the mayor's discretion so things could move. Mr. Goldstein noted that the ordinance and the zoning rule would go into effect simultaneously. He said the map was guidance, not part of the ordinance. Mr. Heuvelman said the map was confusing and he didn't want to confuse people.

Ms. Niedzielski- Eichner said it was important that they only talk about the ordinance in the committee, noting that it didn't talk about the specifics of the map or the retail locations. She noted that whoever had authority over the maps should share them publicly. She said that the specifics of the sensitive sites could be added.

She addressed an equity issue, noting that she had some concern about the \$50 violations fee noting that it could be considered too expensive to low-income people. She said it wasn't important to ensure that people, particularly those who live in apartments, have a space where they could consume without bothering their neighbors.

Mr. Meek said that he would rather have other cities make mistakes and have successes and learn from them. He noted that San Francisco and Seattle were good examples. He said he had an issue with public safety in general. HE said they had a shortage of safety officers, and this ordinance could affect retention. He said he did not support this ordinance. Mr. Goldstein said he hoped as they moved forward, they could work collaboratively. Ms. Shanahan said it was a lot of money for the city, and not to take care of it and make sure the funds were dispersed would be a dereliction of her duty as a council person.

Ms. Niedzielski- Eichner proposed the that they add language to 1-6B. Mr. Candela said it would read: "chief of police or designee prepare and deliver a report to the common council concerning the number of violations issued pursuant to this chapter. This report shall include City of Norwalk Ordinance Committee

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information concerning geography and demographics of the violations issued.” Ms. Niedzielski- Eichner said that tracking repeat offenders could be a signal that they don’t have a safe space. She said if they perceived a problem, they could change the ordinance. Mr. Candela read the new language “and such other information requested by council”.

The committee agreed on this language: “The chief of police or their designee shall on an annual basis or as requested by the common council prepare and deliver a written report to the Common Council and the mayor concerning the number of violations issued pursuant to this chapter. This report shall include but not be limited to information concerning the geography and demographics of violations issued and such other information as requested by the Common Council or Mayor.”

Ms. Shanahan reviewed the changes:

1.5C “designated place or places visible multilingual signage...” and the last sentence would read, “such places are subject to change from time to time at the mayor’s discretion.”

1-6B adding the change above about the report from the Chief of Police.

The committee reviewed again the ‘Mayor’s discretion’ and decided to keep the language streamlined.

**** MR. GOLDSTEIN MOTIONED TO MOVE THE CANNABIS ORDINANCE TO PUBLIC HEARING ON SEPTEMBER 20, 2022**

**** MOTION PASSED 6-1 (MEEK)**

NEW BUSINESS

There was no new business.

DISCUSSION ITEM

There was no action on this item.

ADJOURNMENT

**** MR. GOLDSTEIN MOVED TO ADJOURN**

**** MOTION PASSED UNANIMOUSLY**

There was no further business, and the meeting was unanimously adjourned at 8:15 p.m.

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Respectfully submitted,
Lora Grassilli
Telesco Secretarial Services