

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 use a telephone to call in, attend, listen and comment during the meeting. However, they will not be able to see any of the meeting participants. Each meeting will use a unique Meeting/Webinar ID. For the current meeting, the **meeting ID is 828 7379 8981**, the **passcode is 377930** and the **call in number is 646-558-8656**. The information can also be found using the link above.



Upon written request not less than 24 hours prior to the meeting, a member of the public can request a physical location to attend this virtual meeting at City Hall. Such a member of the public will be provided access to a telephone so that they can attend the meeting in real time. The member of the public can call in, attend, listen and comment during the meeting. However, they will not be able to see any of the meeting participants. Each meeting will use a unique Meeting/Webinar ID. For the current meeting, the **meeting ID is 828 7379 8981**, the **passcode is 377930** and the **call in number is 646-558-8656**. The information can also be found using the link above. A set of instructions will be left with the telephone for the member of the public to use in order to access the meeting.



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 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.



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

May 16, 2023

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

AGENDA

- 1. ROLL CALL:**
- 2. PUBLIC HEARING (possible action on):**
 - Discuss and vote on the Arts and Cultural Commission Ordinance (Chapter 17A – Arts Commission)
- 3. PUBLIC HEARING DISCUSSION:**
- 4. PUBLIC COMMENT:**
- 5. ACCEPTANCE OF MINUTES:**
 - April 18, 2023 – regular meeting of the ordinance committee
- 6. OLD BUSINESS:**
- 7. NEW BUSINESS:**
- 8. DISCUSSION ITEM:**
- 9. ADJOURNMENT:**

Legal Notice of Public Hearing

Notice is hereby given that the Common Council Ordinance Committee will hold a Public Hearing on Tuesday, May 16, 2023 at 7:00 p.m. by way of videoconference of discussing and voting on the Demolition Delay Ordinance. Please check the Ordinance Committee agenda for additional details and instructions for the Public Hearing by way of videoconference/teleconference. The Ordinance Committee agenda will be posted on the City website by May 12, 2023.

Chapter 17A, Arts Commission, is hereby amended in its entirety to read as follows:

Chapter 17A

ARTS AND CULTURE COMMISSION

§ 17A-1. Commission; Purpose.

There shall be a Commission known as the "Norwalk Arts and Culture Commission" (the "Commission"). The purpose of the Commission shall be to manage the City of Norwalk's public art collection and cultural assets. The Commission shall also promote the educational, cultural, economic, and general well-being of the City of Norwalk through the marketing of arts and cultural attractions, as well as encourage, facilitate, and cooperate with artists, artistic, and cultural enterprises and organizations in the creative, performing, and visual arts as well as cultural activities in the City of Norwalk. The Commission shall be deemed a "cultural district" within the meaning of Section 10-401a of the Connecticut General Statutes, as the same may be amended from time to time (the "Act").

§ 17A-2. Definition.

"Cultural District" means each area within the City of Norwalk designated by the Common Council from time to time as a Cultural District in accordance with the Act. A map of each Cultural District as so designated shall be available from the Department of Economic and Community Development or its successor.

§ 17A-3. Membership.

- A. The Commission shall consist of nine regular members appointed by the Mayor with the consent of the Common Council. All regular members shall be residents of the City of Norwalk, and a majority of the regular members must live or work in a Cultural District.
- B. Not less than seven regular members of the Commission must represent the Norwalk arts and culture community, including at least one member from each of the following categories:
 - (1) local cultural or arts council,
 - (2) cultural organizations (i.e., historical society, museum, ethnic heritage organization),
 - (3) artists that live and/or work in a Cultural District,
 - (4) organizations that represent artists (artist cooperative, etc.), if applicable,
 - (5) for-profit creative businesses (i.e., theatre or gallery), and
 - (6) local business and/or chamber of commerce.

Any regular member of the Commission may represent more than one of the foregoing categories.

- C. Regular members shall be designated to serve staggered three-year terms. Any regular member may be removed by the Mayor for failure to attend three or more meetings of the Commission, without reasonable excuse, within a calendar year. Any vacancy for any reason in the position of a regular member shall be filled by the Mayor with the consent of the Common Council for the unexpired portion of the term of the member whose place becomes vacant.
- D. The Commission may also include up to three ex officio members, appointed by the Mayor with the consent of the Common Council. Each ex officio member shall be affiliated with a Norwalk arts and cultural organization, but need not be an elector of the City of Norwalk. Ex officio members may fully participate in the Commission, but without being counted towards quorum requirements and without the right to vote. Ex officio members shall be appointed for a term of three years. Any ex officio member may be removed by the Mayor for the failure to attend three or more meetings of the Commission, without reasonable excuse. Any vacancy for any reason in the position of an ex officio member may be, but is not required to be, filled by the Mayor, with the consent of the Common Council for the unexpired portion of the term of the ex officio member whose place becomes vacant.

§ 17A-4. Officers; Operation.

- A. The Mayor shall appoint a Chair and Vice Chair of the Commission who shall each serve for a term of three years or until the earlier of their resignation or the expiration of their term on the Commission. No Chair or Vice Chair shall serve more than two consecutive terms in such position.
- B. The Chair shall be responsible for presiding over meetings of the Commission, establishing a meeting schedule, and appointing members to the Commission. The Vice-Chair shall chair meetings in the event of absence of the Chair.
- C. The Business Development and Tourism Department, or other Department designated by the Mayor, shall provide administrative support to the Commission.

Section 17A-5. Powers and Duties.

- A. The Commission shall have such powers and duties as may be necessary or desirable for the purpose of carrying out the provisions of the Act. The Commission shall be designated by the Common Council from time to time. In furtherance of the foregoing, but not by way of limitation, the Commission shall:
 - (1) Assist the Mayor and Common Council in the determination and establishment of Cultural Districts;
 - (2) Prepare and maintain an inventory and asset map of the cultural and artistic resources of the City by each subject deemed to be of cultural or artistic significance;
 - (3) Develop and manage an Arts and Cultural Plan as a guiding document for the Commission, which shall include, but not be limited to, the following:

Legal Notice of Public Hearing

The Common Council Ordinance Committee will hold a Public Hearing on Tuesday, May 16, 2023 at 7:00 p.m. by way of videoconference/teleconference for the hearing on the Demolition Delay Ordinance. Please check the Ordinance Committee agenda for additional details and instructions about how to attend this Public Hearing/teleconference. The Ordinance Committee agenda will be posted on the City website by May 12, 2023.

Ordinance is hereby amended in its entirety to read as follows:

ARTICLE 1. COMMISSION

Section 1. Purpose.

A commission known as the "Norwalk Arts and Culture Commission" (the "Commission"). The purpose of the Commission shall be to serve as stewards for the public art collection and cultural assets. The Commission shall also promote the educational, cultural, economic, and general welfare of the public through the development of cultural attractions, as well as encourage, facilitate, and cooperate with artists, artistic, and cultural enterprises and organizations for the development of performing, and visual arts as well as cultural activities in the City of Norwalk. The Commission shall be deemed a "cultural district commission" for purposes of the Connecticut General Statutes, as the same may be amended from time to time (the "Act").

Each area within the City of Norwalk designated by the Common Council from time to time as a Cultural District in accordance with the provisions of the Act. Each Cultural District as so designated shall be available from the Department of Economic and Community Development or its duly appointed successor.

Section 2. Composition.

The Commission shall consist of nine regular members appointed by the Mayor with the consent of the Common Council. All regular members shall be electors of the City of Norwalk, and a majority of the regular members must live or work in a Cultural District.

Seven regular members of the Commission must represent the Norwalk arts and culture community, including at least one representative from each of the following categories:

- (a) cultural or arts council,
- (b) cultural organizations (i.e., historical society, museum, ethnic heritage organization),
- (c) residents that live and/or work in a Cultural District,
- (d) organizations that represent artists (artist cooperative, etc.), if applicable,
- (e) non-profit creative businesses (i.e., theatre or gallery), and
- (f) local business and/or chamber of commerce.

Any member of the Commission may represent more than one of the foregoing categories.

Members shall be designated to serve staggered three-year terms. Any regular member may be removed by the Mayor for failure to attend three or more meetings of the Commission, without reasonable excuse, within a calendar year. Any vacancy for any reason in the position of a regular member shall be filled by the Mayor with the consent of the Common Council for the unexpired portion of the term of the member whose place becomes vacant.

The Commission may also include up to three ex officio members, appointed by the Mayor with the consent of the Common Council. Each ex officio member must be a member of a Norwalk arts and cultural organization, but need not be an elector of the City of Norwalk. Ex officio members may fully participate in meetings of the Commission, but without being counted towards quorum requirements and without the right to vote. Ex officio members shall be appointed for three-year terms. Any ex officio member may be removed by the Mayor for the failure to attend three or more meetings of the Commission, without reasonable excuse, within a calendar year. Any vacancy for any reason in the position of an ex officio member may be, but is not required to be, filled by the Mayor, with the consent of the Common Council, for the unexpired portion of the term of the ex officio member whose place becomes vacant.

Section 3. Administration.

The Mayor shall appoint a Chair and Vice Chair of the Commission who shall each serve for a term of three years or until the earlier of their resignation, death, removal, or expiration of their term on the Commission. No Chair or Vice Chair shall serve more than two consecutive terms in such position.

The Chair shall be responsible for presiding over meetings of the Commission, establishing a meeting schedule, and appointing members to any subcommittee(s) created by the Commission. The Vice-Chair shall chair meetings in the event of absence of the Chair.

The Department of Economic and Tourism Department, or other Department designated by the Mayor, shall provide administrative support to the Commission.

Section 4. Powers and Duties.

The Commission shall have such powers and duties as may be necessary or desirable for the purpose of carrying out the provisions of the Act and as may otherwise be provided by the Common Council from time to time. In furtherance of the foregoing, but not by way of limitation, the Commission shall:

(a) assist the Mayor and Common Council in the determination and establishment of Cultural Districts;

(b) prepare and maintain an inventory and asset map of the cultural and artistic resources of the City by each subject deemed to be of significance by the Commission; and

(c) develop and manage an Arts and Cultural Plan as a guiding document for the Commission, which shall include, but not be limited to, the following:

- (i) the goals and objectives of the Commission, including goals and success measures for Cultural Districts;

- (2) Prepare and maintain an inventory and asset map of the cultural and artistic resources of the City by such commission; and
- (3) Develop and manage an Arts and Cultural Plan as a guiding document for the Commission, which shall include, but not be limited to
 - (a) the goals and objectives of the Commission, including goals and success measures for Cultural Districts,
 - (b) a management plan for the maintenance and preservation of the City's arts and cultural resources, and
 - (c) a marketing plan for the promotion of the City's arts and cultural resources.

B. In no event shall the acts or proposed acts of the Commission conflict with the lawful designated duties of any other body or commission of

§ 17A-6. Acceptance of Public Art.

- A. The Commission shall review any proposed gift or donation to the City of any piece of Public Art (as defined below) and make a recommendation to the Common Council as to whether such gift or donation should be accepted or rejected and, if accepted, the proposed location of such piece of art. Upon receipt of such recommendation, which shall not be binding on the Mayor or Common Council, the Mayor and Common Council shall review and act as to whether to approve such gift or donation, including the proposed location of such gift or donation, in accordance with City and Commission procedures.
- B. The Business Development and Tourism Department, or other Department designated by the Mayor, shall develop guidelines regarding the location of public art, which guidelines shall be approved by the Common Council.
- C. For purposes of this Chapter, the term "Public Art" means works of art in all artistic disciplines that are created or designed for, built, or displayed in a public place and accessible to all (public) for the benefit of residents and visitors. Public art may include murals, sculptures, temporary installations, and other types of artistic expression.

§ 17A-7. Establishment of the Norwalk Arts and Cultural District Account; Investment.

- A. There is hereby established an account known as the Norwalk Arts and Cultural District Account (the "Cultural District Account"). The Cultural District Account shall be established under authority of the Connecticut General Statutes for the exclusive purpose of funding activities in a Cultural District that implement the purposes of this Chapter. The Account shall consist of the following:
 - (1) Funds attributable to sponsorships or underwriting of specific cultural or artistic events and/or programming within a Cultural District; provided, however, that such underwriting shall be approved in accordance with City and Common Council policy and procedures; provided, however, that such a sponsorship or underwriting that does not exceed \$20,000 in the aggregate;
 - (2) Any funds from any source designated to be added to the Cultural District Account to be used exclusively for cultural or artistic activities within a Cultural District; and
 - (3) All investment income earned by the Cultural District Account.
- B. All of the monies in the Cultural District Account shall at all times be subject to withdrawal for use as provided in this Chapter. All or any part of the Cultural District Account may be invested in any manner in which public funds may be lawfully invested. No sums contained in the Cultural District Account and dividends earned, shall be transferred to any other account within the City budget or used for any purpose not provided for in this Chapter.
- C. Any budget proposed by the Mayor or approved by the Common Council, and any appropriation made for the arts and cultural enrichment of the City, shall be reduced, ratably or otherwise, in consideration of any moneys in the Cultural District Account. Expenditures from the Cultural District Account shall be made from the budgets and appropriations which also serve the purposes of the Cultural District Account.
- D. The continuation of the Cultural District Account shall be perpetual notwithstanding that from time to time said account may be unfunded. The Cultural District Account shall not lapse at the end of the City's fiscal year.

§ 17A-8. Expenditures from the Cultural District Account; Administration.

- A. Any funds held in the Cultural District Account pursuant to Section 7(A)(1) of this Chapter shall be expended in accordance with the terms of the Arts and Cultural Plan and (2) the Arts and Cultural Plan and (3) the Arts and Cultural Plan, prepared by the Business Development and Tourism Department and approved by the Common Council.
- B. No expenditure of funds from the Cultural District Account shall be in excess of the available balance in the fund.
- C. No officer or employee of the City, or any member of their immediate family, may receive a financial benefit from or have a direct or indirect interest in any Person that receives funds from the Cultural District Account. Terms used in this subparagraph not otherwise defined in this Chapter shall have the meanings given in § 32-3 of the Norwalk City Code, as the same may be amended.

§ 17A-9. Cultural District Account Reporting.

The Chief of Economic and Community Development or their designee shall, on an annual basis or as otherwise requested by the Common Council, report to the Common Council of the amount in the Cultural District Account and deposits and expenditures therefrom.

Effective Date.

The foregoing amendments to Chapter 17A shall be effective _____.

Dated at Norwalk, Connecticut this _____ day of April 2023.

ATTEST:

Irene Dixon, City Clerk

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Chapter 17A shall be effective _____.

ut this _____ day of April 2023.

Legal Notice of Public Hearing

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§ 17A-2. Definition.

"**Cultural District**" means each area within the City of Norwalk designated by the Common Council from time to time as a Cultural District in accordance with the provisions of the Act. A map of each Cultural Districts as so designated shall be available from the Department of Economic and Community Development or its duly appointed successor.

§ 17A-3. Membership.

- A. The Commission shall consist of nine regular members appointed by the Mayor with the consent of the Common Council. All regular members shall be electors of the City of Norwalk, and a majority of the regular members must live or work in a Cultural District.
- B. Not less than seven regular members of the Commission must represent the Norwalk arts and culture community, including at least one representative from each of the following categories:
 - (1) local cultural or arts council,

- (2) cultural organizations (i.e., historical society, museum, ethnic heritage organization),
- (3) artists that live and/or work in a Cultural District,
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- (5) for-profit creative businesses (i.e., theatre or gallery), and
- (6) local business and/or chamber of commerce.

Any regular member of the Commission may represent more than one of the foregoing categories.

- C. Regular members shall be designated to serve staggered three-year terms. Any regular member may be removed by the Mayor for failure to attend three or more meetings of the Commission, without reasonable excuse, within a calendar year. Any vacancy for any reason in the position of a regular member shall be filled by the Mayor with the consent of the Common Council for the unexpired portion of the term of the member whose place becomes vacant.
- D. The Commission may also include up to three ex officio members, appointed by the Mayor with the consent of the Common Council. Each ex officio member must be affiliated with a Norwalk arts and cultural organization, but need not be an elector of the City of Norwalk. Ex officio members may fully participate in meetings of the Commission, but without being counted towards quorum requirements and without the right to vote. Ex officio members shall be appointed for three-year terms. Any ex officio member may be removed by the Mayor for the failure to attend three or more meetings of the Commission, without reasonable excuse, within a calendar year. Any vacancy for any reason in the position of an ex officio member may be, but is not required to be, filled by the Mayor, with the consent of the Common Council, for the unexpired portion of the term of the ex officio member whose place becomes vacant.

§ 17A-4. Officers; Operation.

- A. The Mayor shall appoint a Chair and Vice Chair of the Commission who shall each serve for a term of three years or until the earlier of their resignation, death, removal, or the expiration of their term on the Commission. No Chair or Vice Chair shall serve more than two consecutive terms in such position.
- B. The Chair shall be responsible for presiding over meetings of the Commission, establishing a meeting schedule, and appointing members to any subcommittee(s) established by the Commission. The Vice-Chair shall chair meetings in the event of absence of the Chair.
- C. The Business Development and Tourism Department, or other Department designated by the Mayor, shall provide administrative support to the Commission.

Section 17A-5. Powers and Duties.

- A. The Commission shall have such powers and duties as may be necessary or desirable for the purpose of carrying out the provisions of the Act and as may otherwise be designated by the Common Council from time to time. In furtherance of the foregoing, but not by way of limitation, the Commission shall:
- (1) Assist the Mayor and Common Council in the determination and establishment of Cultural Districts;
 - (2) Prepare and maintain an inventory and asset map of the cultural and artistic resources of the City by each subject deemed to be of significance by the Commission; and
 - (3) Develop and manage an Arts and Cultural Plan as a guiding document for the Commission, which shall include, but not be limited to, the following:
 - (a) the goals and objectives of the Commission, including goals and success measures for ~~each~~ Cultural Districts,
 - (b) a management plan for the maintenance and preservation of the City's arts and cultural resources, and
 - (c) a marketing plan for the promotion of the City's arts and cultural resources.
- B. In no event shall the acts or proposed acts of the Commission conflict with the lawful designated duties of any other body or commission of the City of Norwalk.

§ 17A-6. Acceptance of Public Art.

- A. The Commission shall review any proposed gift or donation to the City of any piece of Public Art (as defined below) and make a recommendation to the Mayor and Common Council as to whether such gift or donation should be accepted or rejected and, if accepted, the proposed location of such piece of Public Art in the City. Upon receipt of such recommendation, which shall not be binding on the Mayor or Common Council, the Mayor and Common Council shall review and make a determination as to whether to approve such gift or donation, including the proposed location of such gift or donation, in accordance with City and Common Council policy and procedures.
- B. The Business Development and Tourism Department, or other Department designated by the Mayor, shall develop guidelines regarding the acceptance of Public Art, which guidelines shall be approved by the Common Council. ~~DO WE NEED THIS?~~
- C. For purposes of this Chapter, the term "Public Art" means works of art in all artistic disciplines that are created or designed for, built, or displayed in a community space and accessible to all (public) for the benefit of residents and visitors. Public art may include murals, sculptures, temporary installations, art shows, and festivals and other

types of artistic expression.

§ 17A-7. Establishment of the Norwalk Arts and Cultural District Account; Investment.

- A. There is hereby established an account known as the Norwalk Arts and Cultural District Account (the "Cultural District Account"). The Cultural District Account is established under authority of the Connecticut General Statutes for the exclusive purpose of funding activities in a Cultural District that implement or promote the purpose of this Chapter. The Account shall consist of the following:
- (1) Funds attributable to sponsorships or underwriting of specific cultural or artistic events and/or programming within a Cultural District. Such sponsorships or underwriting shall be approved in accordance with City and Common Council policy and procedures; provided, however, that such approval shall not be required for any individual sponsorship or underwriting that does not exceed \$20,000 in the aggregate;
 - (2) Any funds from any source designated to be added to the Cultural District Account to be used exclusively for cultural or artistic events and/or programming within a Cultural District; and
 - (3) All investment income earned by the Cultural District Account.
- B. All of the monies in the Cultural District Account shall at all times be subject to withdrawal for use as provided in this Chapter. All or any part of the monies in the Cultural District Account may be invested in any manner in which public funds may be lawfully invested. No sums contained in the Cultural District Account, including interest and dividends earned, shall be transferred to any other account within the City budget or used for any purpose not provided for in this Chapter.
- C. Any budget proposed by the Mayor or approved by the Common Council, and any appropriation made for the arts and cultural enrichment of the City, shall not be reduced, ratably or otherwise, in consideration of any moneys in the Cultural District Account. Expenditures from the Cultural District Account shall add to and not replace budgets and appropriations which also serve the purposes of the Cultural District Account.
- D. The continuation of the Cultural District Account shall be perpetual notwithstanding that from time to time said account may be unfunded. Funds in the Cultural District Account shall not lapse at the end of the City's fiscal year.

§ 17A-8. Expenditures from the Cultural District Account; Administration.

- A. Any funds held in the Cultural District Account pursuant to Section 7(A)(1) of this Chapter shall be expended in accordance with the terms of the applicable sponsorship

or underwriting. All other funds held in the Cultural District Account shall be expended in accordance with (1) the Arts and Cultural Plan and (2) any applicable guidelines prepared by the Business Development and Tourism Department and approved by the Common Council.

- B. No expenditure of funds from the Cultural District Account shall be in excess of the available balance in the fund.
- C. No officer or employee of the City, or any member of their immediate family, may receive a financial benefit from or have a direct or indirect personal or financial conflict of interest in any Person that receives funds from the Cultural District Account. Terms used in this subparagraph not otherwise defined in this Chapter shall have the meanings given in § 32-3 of the Norwalk City Code, as the same may be amended.

§ 17A-9. Cultural District Account Reporting.

The Chief of Economic and Community Development or their designee shall, on an annual basis or as otherwise requested by the Common Council, prepare and deliver a written report to the Common Council of the amount in the Cultural District Account and deposits and expenditures therefrom.

Effective Date.

The foregoing amendments to Chapter 17A shall be effective _____.

Dated at Norwalk, Connecticut this _____ day of April 2023.

ATTEST: _____

Irene Dixon, City Clerk

THE HOUR: Please publish once on Friday, May 5, 2023

**CITY OF NORWALK
ORDINANCE COMMITTEE
REGULAR MEETING
VIA TELECONFERENCE
APRIL 18, 2023**

ATTENDANCE: Lisa Shanahan, Chair; Edwin Camacho; Joshua Goldstein;
David Heuvelman; Thomas Livingston; Nora Niedzielski Eichner

STAFF: Brian Candela, Assistant Corporation Counsel; Steven Kleppin, Director
of Planning and Zoning; Sabrina Godeski, Director of Business
Development and Tourism; Jessica Vonashek, Chief of Community and
Economic Development

OTHERS: Nicol Ayres and Darlene Young, Common Council members

1. ROLL CALL:

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

2. PUBLIC HEARING (possible action on):

- Discuss and vote on Chapter 73, Article I, Oak Hills Park Authority

There were no members of the public who wished to comment this evening.

Ms. Shanahan explained that this item adds the Director of Recreation and Parks to the Oak Hills Park Authority and removes that the notice has to be made in the newspaper.

3. PUBLIC HEARING DISCUSSION:

**** MR. HEUVELMAN MOVED TO APPROVE CHAPTER 73, ARTICLE I, OAK
HILLS PARK AUTHORITY**

Mr. Camacho commented that the terms of office do not seem to be staggered. Ms. Shanahan said this Authority has been in place for about 10 years. Mr. Camacho said it might not be a good idea to make an exception for the Authority without going through the Common Council. Mr. Livingston asked if doing this would require holding another public hearing since they would be making a change in the Ordinance. Mr. Candela said this is a change that is significant enough to go back to a public hearing. Mr. Candela read Chapter 7-2A and Mr. Camacho said that was ok as stated.

**** MOTION PASSED UNANIMOUSLY TO FORWARD THIS ITEM TO THE FULL COMMON COUNCIL FOR APPROVAL**

4. PUBLIC COMMENT:

There were no members of the public who wished to comment this evening.

5. ACCEPTANCE OF MINUTES:

- March 21, 2023 – regular meeting of the Ordinance Committee

**** MR. LIVINGSTON MOVED TO APPROVE THE MINUTES AS PRESENTED
** MOTION PASSED WITH ONE (1) ABSTENTION (MS. NIEDZIELSKI EICHNER)**

6. OLD BUSINESS:

- Discuss and vote on the Arts and Cultural District Proposal, Approval Process and Ordinance (Chapter 17A – Arts Commission)

Ms. Shanahan expressed her thanks to Mr. Livingston for his work on this item. She asked if anyone had any comments to share.

Mr. Livingston gave an overview of the proposal. He noted that they tried to incorporate State guidelines and removed any redundant or unnecessary language.

Ms. Shanahan talked about the acceptance of art. Recreation and Parks created guidelines and Ms. Shanahan said she believes the schools will have their own set of guidelines. The guidelines have not been approved. The Committee members discussed guidelines. Ms. Godeski explained that any donations will have to come through the Common Council. Mr. Heuvelman said the guidelines have to be consistent between the different Ordinances, commission and boards.

In response to Mr. Goldstein's question, Ms. Vonashek described how the Cultural District was created. In addition, if they are going to accept a monetary donation for an art piece, she said they could take it through the Economic and Community Development Committee or to the Finance Claims Committee. Mr. Heuvelman asked if Recreation and Parks would be the logical designee. Mr. Livingston explained the language was written to provide flexibility to the Common Council to decide how they want to act. Ms. Vonashek added that the flexibility is very helpful from a staff standpoint.

Mr. Heuvelman discussed the section in the section in the proposal related to meeting attendance. He asked if that is something they want to pick up for other Commissions. Mr. Livingston said that is new and that is something they can look at under the Charter Revision. Mr. Heuvelman said this is something they need to look at seriously.

Ms. Niedzielski Eichner said that every board should have a Common Council committee that owns and connects with it. She said that with guidelines, it would be helpful to start thinking about consistency. She said it is important that the Common Council have input into the guidelines and they should be consistent. Mr. Livingston said the guidelines for public art will have to go to the Mayor and then the Common Council for approval. Mr. Heuvelman commented that if everything has to go to the Common Council, then what is the point of having a commission. Ms. Vonashek said she is trying to understand from an operations process how this will look. She said the Commission makes recommendations based on their expertise and then the Common Council makes their recommendations based on a financial aspect.

Ms. Niedzielski Eichner said guidelines would be developed by the department and would be administrative. She said this would hopefully streamline the process. Ms. Vonashek said it makes sense but is not sure how it feeds into the Ordinance. Ms. Niedzielski Eichner said that as a committee, they are trying to standardize the Ordinances and be consistent going forward.

Mr. Livingston said this was in good shape, except for how to handle guidelines. He said that if anyone has better wording, they can discuss it at next month's meeting. Mr. Livingston added they need to have guidelines for whenever they deal with money.

Mr. Camacho said that once the Commission is set up, he does not know if the Common Council needs to be involved. He said they need to trust the people who have been appointed.

Mr. Goldstein said that trying to streamline this is good; however, trying to alter a staff process on the fly is not good. There is a lot to think about.

**** MR. LIVINGSTON MOVED TO APPROVE THE ARTS AND CULTURAL
DISTRICT PROPOSAL, APPROVAL PROCESS AND ORDINANCE (CHAPTER
17A – ARTS COMMISSION) AND FORWARD THIS ITEM TO THE FULL
COMMON COUNCIL
** MOTION PASSED UNANIMOUSLY**

7. NEW BUSINESS:

- Discuss the Affordable Housing Ordinance

Ms. Ayres explained that the ad hoc committee has worked on this document for a few months. She said it is a living document and has been through several versions. She said the Committee has been trying to address the affordable housing crisis. She said the word affordable is defined in the document and they also acknowledge this is a national crisis and concern.

Ms. Ayres said this is a big step. The Committee is meeting tomorrow and will have a presentation about what the City is doing to address affordable housing. She discussed the language in the document that allows community members on the Committee to have access to the funds. She said they wanted to be sure there was a provision where they would not be precluded from accessing the funds. Ms. Young added that if someone is on the Committee and they need assistance, they should be able to take advantage of the opportunities. Mr. Candela said as it pertains to a conflict of interest, he will have to talk about this more and will have to get advice from the Board of Ethics.

Mr. Camacho said that since they are dealing with limited resources, he is not sure how someone on the Committee could vote because that vote would be a conflict of interest. Ms. Shanahan said they are putting a conflict-of-interest clause in the Ordinance. Ms. Niedzielski Eichner said there is a lot of space for use of these funds and that could be a conflict of interest. She said there needs to be input from the Board of Ethics. Mr. Candela said there are a lot of different ways to implement the funds and it will have to be addressed.

Ms. Niedzielski Eichner said this is a narrow Ordinance and is specific to a source of funding that the developers are required to pay. She gave an overview of how the Ordinance was created. She noted that it is a goal to get more affordable housing units in the City. She said the Committee approves the grants and then that approval goes to the Common Council for a vote. The Committee members reviewed the application and made recommendations.

Mr. Kleppin reviewed the funding sources. Mr. Livingston asked if they anticipate language in the Ordinance that would include closing costs. Ms. Niedzielski Eichner explained that this is not intended to help someone purchase a home, this is for the hard costs to construct new units.

Ms. Young said she has issues with funding developers. There is a population of people who are stuck in the middle, and they have to keep an eye on that. This sounds like a program that is not for the folks who need it. Ms. Ayres said they need to make sure they are helping people and not hindering them.

Mr. Livingston asked about the committee structure. Ms. Ayres said that at their last meeting they wanted to be sure the voices of the people directly affected would be heard and they landed on having two Common Council members on the Committee. Mr. Livingston said the approval process was not clear. Ms. Niedzielski Eichner said that under the Workforce Housing Regulation all funds are subject to deed restrictions. Mr. Camacho said that the deed restrictions in other affordable housing projects tend to wane over time. Ms. Shanahan said that the Workforce Housing regulations require deed restrictions in perpetuity.

Mr. Camacho asked for examples of the types of grants or disbursements that will be made from these funds. Ms. Niedzielski Eichner said there was a lot of debate in the Committee and the Ordinance is written to allow discretion once it is implemented. The goal of the Committee was to create more affordable housing units. Mr. Kleppin said home ownership would be difficult because they can't control an individual's income. This works on managed properties that provide affordable housing. Ms. Niedzielski Eichner said the goal is to leave it open for rental units or home ownership. The deed restriction is in the regulations and the funding comes from the regulations.

Ms. Shanahan ,Mr. Livingston, Ms. Niedzielski Eichner and Ms. Ayres will work on the draft ordinance. Mr. Camacho said the two versions he is hearing seem to be almost incompatible. He said he is concerned about the two views of what the ordinance can be.

Ms. Young said that as a City, they need to think about how they are going to move forward to provide affordable and workforce housing for the people. They really need to think about how they are going to help people and move people forward. In addition, they need to think about the permanent deed restriction.

Ms. Niedzielski Eichner said that deed restrictions were discussed in Committee and is an ongoing issue. The Zoning regulation that provides the bulk of funds requires deed restrictions in perpetuity. That was added to the Ordinance for administrative consistency. Ms. Niedzielski Eichner said that deed restrictions do not serve the purpose of building equity in home ownership but is good for rental property. She said she is open to thoughts and ideas on how to handle deed restrictions. She added that part of the formation of the committee was to have a space for these conversations; this is an issue that was flagged in committee.

This item will be discussed at next month's meeting.

8. DISCUSSION ITEM:

There were no other items discussed.

9. ADJOURNMENT:

**** MS. NIEDZIELSKI EICHNER MOVED TO ADJOURN
** MOTION PASSED UNANIMOUSLY**

There was no further business, and the meeting was unanimously adjourned at 8:57 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services