

**COMMON COUNCIL ORDINANCE COMMITTEE
REGULAR MEETING
TUESDAY, MARCH 19, 2024
VIA TELECONFERENCE/VIDEO CONFERENCE**

ATTENDANCE: Margaret (Lisa) Shanahan; Chair, Joshua Goldstein, Johan Lopez, Nora Niedzielski– Eichner, Jalin T. Sead Sr.,

STAFF: Brian Candela

OTHER: Sharon Connors; Purchasing Agent, Norwalk Purchasing and Central Services Department.

CALL TO ORDER

The meeting was called to order at 7:05 p.m.

ROLL CALL

Ms. Shanahan called the roll as stated above.

PUBLIC HEARING

There was no public hearing.

PUBLIC HEARING DISCUSSION

There was no public discussion

PUBLIC COMMENTS

There were three individuals in attendance, none wished to comment.

ACCEPTANCE OF MINUTES FOR FEBRUARY 12, 2024

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Ms. Dunn noted there was a possible misspelled name. Mr. Candela said he would do a controlled search and correction. Mr. Sead stated his first name was not spelled correctly in the attendance portion of the minutes.

**** MR. LOPEZ MOVED TO APPROVE THE MINUTES WITH THE
CORRECTIONS AS NOTED.
** THE MOTION PASSED UNANIMOUSLY.**

OLD BUSINESS

There was no old business.

NEW BUSINESS

§ 19-1. Threshold for bidding. [Amended 7-8-2014]

Pursuant to Connecticut General Statutes Section 7-148v, except as otherwise required by any provision of the General Statutes, sealed bidding shall not be required for contracts or purchases having a value less than or equal to ~~\$20,000~~ the maximum amount set forth in Section 7-148v, as the same may be amended from time to time.

Ms. Connors described the content of the amended ordinance and how it affects the bidding process. Ms. Shanahan noted that they were coordinating with what the state would allow the municipality to do. Mr. Candela indicated they were citing to the statute to avoid coming back every time they change it.

§ 19-2. Procurement Guide. [Added 11-9-1993]

Pursuant to Charter ~~§ 1-241 of the Code of the City of Norwalk~~ Section 8-4(D)(2), a Procurement Guide may be adopted by a majority vote of the Common Council, which Guide shall govern the Purchasing Department. The Guide shall be reviewed by the Finance Committee no later than every three years following its adoption.

Ms. Connors gave a brief description of 19-2 and it's new placement in the charter.

**** MS. DUNN MOVED TO TAKE ITEMS 19-1 AND 19-2 TO THE
PUBLIC HEARING AT THE APRIL MEETING.
** THE MOTION PASSED UNANIMOUSLY.**

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Chapter 103 Taxation; Article V Board of Assessment Appeals

§ 103-14 Appointment of ~~alternates~~members; increase in membership.

- A. ~~There shall be three regular members and three alternate members appointed to the Board of Assessment Appeals. There shall be three alternate members appointed to the Board of Assessment Appeals.~~The Mayor shall appoint these ~~members~~ alternates subject to confirmation by the Common Council. ~~Each regular member shall serve a term of four years from the date of appointment and until their successor is elected and has qualified. Each~~ The appointed ~~alternates~~ member shall serve a terms of one year from the date of appointment.
- B. Revaluation.
- (1) In accordance with the provisions of Connecticut General Statutes, § 9-199(c), the Board of Assessment Appeals is hereby increased to seven regular members and seven alternate members for any assessment year during which a revaluation becomes effective ~~as well as the two assessment years immediately following such year of revaluation.~~ The Mayor shall appoint the ~~four~~ additional members, ~~and a total of seven alternate members to the Board,~~ subject to confirmation by the Common Council, during ~~that~~ revaluation assessment years ~~such years.~~
- (2) The provisions of Connecticut General Statutes, § 9-167a concerning minority representation shall apply to the Board of Assessment Appeals.
- (3) Upon the completion by the Board of Assessment Appeals of its work for any revaluation assessment year described above for which the additional members were appointed, the terms of the ~~four~~ additional members ~~and four alternates~~ appointed and confirmed pursuant to this section shall expire and no successors shall be appointed.

Mr. Candela stated that the language in ordinance 103-14 was inconsistent and needed to be brought in line with the general statute 9-1199©. He described the process for the appointment and addition of members as outlined in the amended ordinance.

Mr. Goldstein had several questions and wanted clarification about when the Mayor would appoint alternates and when their term would come into effect. Mr. Candela stated he needed to ask the tax assessor for the information required to answer Mr. Goldstein's question. Mr. Goldstein felt the ordinance wording may be oversimplified.

Ms. Shanahan asked Mr. Candela if the language change would substantially alter the ordinance. Mr. Candela said 'no.' Ms Shanahan said they could still vote on moving the ordinance to the public hearing in April. There was a discussion about the best wording for section 103-14, B1.

** MR. GOLDSTEIN MOVED TO TAKE 103-14 TO PUBLIC HEARING.
** THE MOTION PASSED UNANIMOUSLY.

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Chapter 63 – Law Department

§ 63-1 Creation of Law Department.

Pursuant to the authority granted to the Common Council by Section ~~8-3 1-189.4~~ of the Charter of the City of Norwalk (~~2024 Edition~~)(~~1970 Edition~~), a Law Department for the City of Norwalk (~~the "City"~~) is hereby created and established.

§ 63-2 Duties.

~~The Said~~ Law Department shall be the ~~sole~~ legal representative of the municipal corporation, and shall perform the following duties:

- A. Represent and advise the Mayor, Common Council, and all ~~C~~city officers, agencies, boards and commissions in all matters of law pertaining to their respective offices and/or duties.
- B. Upon request of the Common Council or any committee or any member thereof, assist in the preparation of any ordinance or other legislation affecting the ~~C~~city. The Corporation Counsel may require that such requests be in writing. [Amended 5-22-1984]
- C. Represent and appear as and be the attorney of record in all actions and proceedings for the enforcement of ordinances, other regulations and claims of the ~~C~~city and in all actions or proceedings in any court or before any board wherein the ~~C~~city or its officers, officials, boards, agencies or commissions or employees, by reason of any suits growing out of their official duties, shall be parties defendant or parties in interest. [Amended 5-22-1984]
- D. Supervise the preparation of all ordinances, regulations, resolutions, contracts and any other legal papers of whatever nature.
- E. ~~Shall R~~render formal opinions and give necessary legal counsel and advice when ~~required~~~~requested~~² by the Common Council or any member thereof, the Mayor or any board, agency, commission or department. The Corporation Counsel may require that such requests be in writing. [Amended 5-22-1984]

§ 63-3 Administration.

- A. The Corporation Counsel shall be the administrative head of the Law Department, and all attorneys and other personnel employed by the ~~C~~city as part of the Department shall be subject to ~~his~~~~their~~ supervision.
- B. There shall be one Deputy Corporation Counsel who will be a full-time permanent employee of the City of Norwalk ~~and he or she shall be subject to removal from office only for just cause.~~ [THIS IS LARGELY DUPLICATIVE OF 63-6A]
- C. The compensation of the Corporation Counsel and the Deputy Corporation Counsel shall be established by the Common Council. There shall be full-time or part-time Assistant Corporation Counsels or attorneys employed for special cases, as established by the Common Council, for a term and compensation as adopted by the Common Council, but in no event shall the appointment of a full-time ~~or part-time~~ Assistant Corporation Counsel be for longer than ~~four two~~ years at a time, ~~and in no event shall the appointment of a part-time Assistant Corporation Counsel be for longer than four two years at a time.~~ The Corporation Counsel, the Deputy Corporation Counsel and the full-time or part-time Assistant Corporation Counsels shall be entitled to such pension and other benefits as are provided for full-time and part-time permanent employees of the city. [Amended 5-22-1984]

§ 63-4 Appointment of Corporation Counsel.

The Corporation Counsel shall be appointed in the manner set forth in Section 8-2(A)(1) 4-223 of the Charter of the City of Norwalk, and ~~he or she~~ they shall perform such duties as set forth in said Charter.

§ 63-5 Deputy and Assistant Corporation Counsels or Special Counsels.

[Amended 5-22-1984]

A. The Deputy Corporation Counsel, the Assistant Corporation Counsels and the attorneys employed for special cases shall be appointed by the Mayor, subject to the confirmation of the Common Council.

B. Upon good cause, the Corporation Counsel or Deputy Corporation Counsel may retain an attorney or attorneys, not employed by the Law Department, on behalf of the City for purposes of performing any of the duties of the Law Department as set forth in Section 63-2.

§ 63-6 Deputy Corporation Counsel.

A. The Deputy Corporation Counsel shall be appointed by the Mayor for a permanent full-time position, and ~~said Deputy Corporation Counsel~~ shall serve until such time as ~~his~~ their successor is duly appointed and qualified, unless removed for just cause. [THIS IS LARGELY DUPLICATIVE OF 63-3B]

B. Any person appointed to the office of Deputy Corporation Counsel shall be an attorney of at least three years' experience and shall be a member of the Connecticut Bar. [Amended 5-22-1984]

C.—Reserved.

D.—Reserved.

§ 63-7 (Reserved)

Mr. Candela described the various changes that were made to the ordinance. Ms. Dunn had questions about the necessity for certain items to be included in the ordinance. Mr. Goldstein and Ms. Dunn discussed the legal ramifications of integrating contracts and ordinances. Mr. Candela also described necessary inclusions to the ordinance relating to outside legal counsel.

**** MR. SEAD MOVED TO TAKE CHAPTER 63-LAW DEPARTMENT TO
THE APRIL PUBLIC MEETING.
** THE MOTION PASSED UNANIMOUSLY.**

DISCUSSION ITEM

There were no discussion items.

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ADJOURNMENT

**** MR. LOPEZ MOVED TO ADJOURN THE MEETING.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting ended at 7:29 p.m.

Respectfully submitted
China Mayhew
Telesco Secretarial Services