

**CITY OF NORWALK
ORDINANCE COMMITTEE
REGULAR MEETING
MARCH 19, 2019**

ATTENDANCE: Eloisa Melendez, Chair; Beth Siegelbaum, Michael Corsello (7:05 p.m), Thomas Livingston, Colin Hosten, Doug Hempstead, Chris Yerinides

OTHERS: Rich Bontefant, Tim Sheehan, Executive Director, Norwalk Redevelopment Agency, Jessica Casey, Chief of Economic and Community Development, Ray Burney, Norwalk Director of Personnel and Labor Relations, Leonard Braman, Diane Lauricella, Marjorie Madden, Issac Patrick Camoro, John Chu

STAFF: Brain Candella, Corporation Counsel

1. ROLL CALL

Ms. Melendez called the meeting to order at 7:03 p.m. A quorum was present.

2. PUBLIC HEARING (possible action on)

- Discuss and vote on Community Services Department

Mr. Rich Bontefant said he just read the ordinance and it does not say anything. He said he has no idea what the Department does.

Ms. Melendez closed the Public Hearing at 7:05 p.m.

Mr. Ray Burney said the description is on line. He said this basically mirrors other ordinances.

Mr. Corsello asked if this was a Cabinet level position. Mr. Burney said it was. Mr. Corsello said the hope was for the position to be cost neutral. Mr. Burney said it will cost around \$100,000 but with other positions not being filled it will be cost neutral. The new positions are Human Services Director and they will report to the Chief of Community Services.

Mr. Corsello said it is an important function but he is not sure if an entire separate department is needed. He asked who is doing the function of the Human Services Director right now. Mr. Burney said a lot of it is not being done or being done ad hoc or being done on the fly. He said there is nobody dealing with the issue of homelessness. Mr. Burney said there is no one who can act as a source for either services or referrals. He said this is seen as a 40-hour a week job.

Mr. Burney asked the Committee to approve the Ordinance.

Mr. Burney said he met with the Fair Housing Officer and Reverend Ingram of the Fair Housing Advisory Commission. He said functionally there was little or no overlap with the Fair Housing or Fair Rent Commission. Mr. Burney said Fair Housing and Fair Rent will remain status quo.

Mr. Yernides asked what happens if this is not approved. Mr. Burney said he will come back next month and say let's talk about this again and ask for another Public Hearing. He said from the Reorganization Plan this is the final chapter in the structural reorganization and there is no plan for the City to give up on it. Mr. Burney said things won't stop if this does not get approved. It just will not get better.

Mr. Hosten said this is creating a resource that does not exist. He said there is nobody at City Hall tapping into State or Federal Grants.

Mr. Corsello said this seems to be a pattern that when a new Commission is created the Committee is told the City can get Grant money. He said he would be curious to find out if any money was ever received and said he is not aware of any.

Mr. Livingston said as an aside we should ask the Mayor's Office for a list of grants that have been received.

**** MR. LIVINGSTON MOVED TO FORWARD THE ORDINANCE TO THE
COMMON COUNCIL**

**** THE MOTION PASSED 5-2 (MR. CORSELLO AND MR. HEMPSTEAD
OPPOSED).**

Ms. Marjorie Madden of Silvermine Avenue asked Ms. Melendez if she could speak on the Community Services position. Ms. Melendez granted her the chance to make her remarks. Ms. Madden referred to an article that appeared in the Norwalk Hour citing homelessness and immigration as two issues the new position would deal with. She concluded another additional \$100,000 for this position is craziness.

Mr. Burney said if there is someone in the city who has an immigration issue there is not a person who is paid by the city right now that provides that service. He said this is not representing the person, not taking them up as their attorney. It is just giving them some direction that can be addressed by this department.

Ms. Melendez said it's connecting people with resources and Mr. Burney confirmed.

Mr. Bonefont spoke about the Noise Ordinance. He thanked the Committee for having someone come to his home and taking care of a noise issue on Westport Avenue.

Mr. Leonard Braman, who is representing Our House, said the businesses are asking you to not make it more difficult for them to run a business. He said 45 decibels during the day is too low

35 is too low for the night time. He commented that Mr. Zwerling said daylight hours are not up to him they are up to you. He said on weekends stopping music one hour before last call is workable. He said 10 p.m. on a weeknight which is 3 hours before last call is not workable. He said you can't have the music shut off so much earlier than the time alcohol is still sold.

Ms. Diane Lauricella requested that Ms. Melendez allow her to make a brief comment on the Community Services position. She said hiring an individual with a Bachelor's Degree and 5 years experience is woefully too low for that salary level.

Regarding the noise ordinance, Ms. Lauricella represented South Norwalk Citizens for Justice. She said this is a health issue, an economic development issue and needs to be resolved. Ms. Lauricella requested a dual role or shared role between the Health Department (by day) and the Police Department (by night and sometimes by day). She said the Police have to refrain from telling people on Washington Street you should have known you were going to be living above a bar or restaurant. Ms. Lauricella said the problem could be handled by zoning and retrofits.

Mr. John Chu of 131 Washington Street was the next speaker. Mr. Chu said the noise does not stop until 2 a.m. He said he lives right across the street from the Saltwater and has called the police at least 6 times since January. The Police told him it does not sound that loud. Mr. Chu said the common sense solution would be to eliminate the problem at the source not tell people to shut their windows and basically build a cave to live in.

Mr. Isaac Patrick Camoro, Owner of Our House, spoke next. He said he is willing to work with zoning, and ordinance, but said we need to work with the Owners of the Condos too. He said we come to build the community so values will increase. He said the money making occurs after 10 o'clock and added liquor is where you make your money and that's how we pay our rent and our taxes. Mr. Camoro said it has to be a community effort otherwise it will never get solved.

5. ACCEPTANCE OF MINUTES

**** MR. HOSTEN MOVED TO ACCEPT THE MINUTES OF THE FEBRUARY 10, 2019 MEETING.**

**** THE MOTION PASSED 6-0 (MS. SIEGELBAUM ABSTAINED).**

6. OLD BUSINESS

- Discuss and possibly vote on Real Estate Tax Agreement Ordinance for Wall Street-West Avenue Neighborhood Plan Area (formerly known as the Innovation District)

Mr. Livingston proposed doing something that will help small businesses. He said a tremendous amount of work has been done, but it does not address how to help small businesses.

Mr. Corsello suggested doing another more comprehensive ordinance to address small businesses.

Mr. Livingston said it may more complicated to come up with a new ordinance than to rework what has already been done. Mr. Livingston asked should lessees be eligible to participate in this Ordinance.

Mr. Hempstead said it should not be only for the big players, it should be for people who invested years ago in our community. He said maybe you should be eligible if doing upgrades or façade improvements.

Mr. Corsello said he looks at this as one tool in our tool chest to encourage development and business. He said maybe helping lessees and small businesses should be a whole another set of tools.

Mr. Hempstead otherwise you have to start from scratch and public hearing all over again. He said some people were locked out and that was one of the concerns that was brought out at the public hearing.

Mr. Livingston said it's frustrating, but we have to do it right. He added it's easier in a sense to fix this then come up with a whole new ordinance which would take another 18 months.

Ms. Jessica Casey said there is an economic development tool kit and each tool is meant to do something different. There are tool kits that speak to property investment, there are tool kits that speak to capital investment, there are tools that speak to employment increases and tools that speak to neighborhood elements. She added all of those tools create Norwalk's economic development tool kit and community development tool kit and if the ordinance is passed we can test that for a year and see what changes need to be made. The ordinance speaks to investment of 100 percent and we need to consider small businesses that don't own the real estate and come up with something to address this.

**** MR. LIVINGSTON MOVED TO TABLE THE VOTE ON REAL ESTATE TAX
ORDINANCE FOR WALL STREET-WEST AVENUE NEIGHBORHOOD PLAN.**

**** THE MOTION PASSED 6-0 (MR. CORSELLO ABSTAINED).**

- Discuss and possibly vote on Chapter 68 – Noise Ordinance

Mr. Hosten said the decibel level should be reasonable and enforceable. He added we have a sound expert saying that 50 during the day is reasonable he is happy with that. Mr. Corsello said he is in favor of making the ordinance as least restrictive as possible.

Mr. Hempstead said he would be willing to incorporate the levels of expert, Eric Zwerling of Rutgers University, from 45 to 50 into the table.

Mr. Hosten said nobody is saying to cut off the music inside. Mr. Yernides said 35 decibels is fair. Mr. Hosten said if we are going to cut off music an hour before last call on weekends they should be consistent and do the same on weeknights.

The Committee debated having a cut off time of 10 p.m. on Sunday to Wednesday, 11 p.m. on Thursday and 1 a.m. on Friday and Saturday.

**** MR. HOSTEN MOVED TO AMEND FOOTNOTE 2 TO CHANGE THE TIME TO 11 P.M. ON THURSDAYS FOR THE WASHINGTON STREET DEVELOPMENT DISTRICT.**

**** THE MOTION PASSED UNANIMOUSLY.**

Mr. Livingston suggested an amendment to the Ordinance.

**** MR. LIVINGSTON MOVED THE FOLLOWING AMENDMENT REMOVE 68-10 SUBSECTION C3 AND ADD THE WORDS "SUBSEQUENT AND SECOND OFFENSE A \$250 FINE", DELETE CLAUSE 3 AND RENUMBER 4 AND 5. IN SUBSECTION I, DELETE "AN IMPRISONMENT" FROM THE THIRD LINE.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** MR. HEMPSTEAD MOVED TO SEND THE NOISE ORDINANCE TO A PUBLIC HEARING AT THE APRIL 16TH MEETING.**

**** THE MOTION PASSED 6-1 (MR. CORSELLO OPPOSED).**

Mr. Corsello said this is going to be expensive, cumbersome and confusing to enforce. He said it has to be done through the building codes and zoning.

Mr. Hempstead said you need to offer some protection to the people. He said if you are going to rent to somebody that's going to offer entertainment you need to soundproof that area.

- Discuss the scheduling of a special meeting to discuss Code of Ethics and Citizen's Guide to the Code of Ethics

Ms. Melendez said the Committee should hold a special meeting to discuss some bigger changes that need to get done sooner rather than later.

7. NEW BUSINESS

There was no new business.

8. DISCUSSION ITEM

There was no discussion item.

9. ADJOURNMENT

**** MR. HEMPSTEAD MOVED TO ADJOURN.**

**** THE MOTION TO ADJOURN PASSED UNANIMOUSLY.**

The meeting adjourned at 9:18 p.m.

Respectfully submitted,

Greg Venuto

Telesco Secretarial Services