

**CITY OF NORWALK
ORDINANCE COMMITTEE
SPECIAL MEETING
JANUARY 30, 2024**

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

OTHERS: Atty. Brian Candela, Atty. Steve Mednick, consultant; Atty. Mario Coppola, Corporation Counsel; Stuart Wells, Democratic Registrar of Voters; Jason Christopher, Diane Paladino, Greg Helms, Cathy C., Nicole Eaddy, KLutge, Ana Tabachneck, John Levin, Jim Anderson, and Lisa Henderson.

CALL TO ORDER

Ms. Shanahan called the meeting to order at 7:09 p.m. A quorum was present.

ACCEPTANCE OF MINUTES

- **January 16, 2024** – regular meeting of the ordinance committee

**** MR. GOLDSTEIN MOVED THE MINUTES OF THE JANUARY 16, 2024 REGULAR MEETING.**

The following corrections were noted:

Page 2, Speaker #6 – please change “Lisa Henederson” to “Lisa Henderson”

Page 2, at the conclusion of the Public Speaking, please change the last sentence in the Public Comment section which reads:

“At this point, the Committee cut off public comment and announced that the Police were notified”

to:

“At this point, the Committee cut off public comment and announced that the Police were notified as the commenters who were muted and removed because they had made racist and anti-Semitic comments.”

Page 3, paragraph 4; please change “an email from Donna Simertous” to “an email from Donna Smirniotopoulos”

**** THE MOTION TO APPROVE THE MINUTES OF THE JANUARY 16, 2024 REGULAR MEETING AS AMENDED PASSED UNANIMOUSLY.**

PUBLIC HEARING

(possible action on)

Ms. Shanahan then made the following statement for the record:

My experience as a Common Council Member has been that we, as city officials, have always welcomed and encourage robust open communications between the public and Council in both the public comment section of our meetings as well as at public hearings. It is vitally important that we continue to hear from people who have different opinions across the community. Public discourse is vital to government work, and we want to hear from as many residence as possible regarding issues confronting our city.

What we will not tolerate is hateful rhetoric or personal attacks. Hateful speech undermines the important work we as a community need to do together. We need to foster discourse that best reflects the broader Norwalk community.

I want to encourage all of us to bring our best selves to these public commentary venues.

To remind everyone of the rules to make a public comment, one must state one's full name and address, and then there will be a pause and once Brian tells you that you may speak for three minutes on a matter listed on the agenda.

Tonight, the only thing that we are speaking about is the reapportionment ordinance.

Mr. Jason Christopher of 1 Naples Avenue, Norwalk then greeted the Committee and said that he was speaking as Chairman of District C and a Republican, he would like to say regarding the redistricting process, there were significant changes concerning District A and District C and had concerns about what appears to be a lack of inclusion in the proposed ordinance. While the new language appears to insure equality, the new language leaves much to be desired. Democrats currently hold 14 of the 15 Common Council seats with Independent Heather Dunn being the sole minority party representative, true inclusion seems challenging. He said he would advocate for the minority leader to have the right to consult with Party heads and others to provide names that are fair and balanced to ensure true inclusion in this process. The proposed rewrite feels even less equitable given the composure of the Council. He urged a strong reconsideration of the process and thanked the Committee for their time.

Mr. Fred Wilms, 6 Westview Lane, Norwalk, then greeted the Committee and said that he was present as the Chairman of the Norwalk Republican Town Committee. Mr. Wilms said that he had reviewed the revised ordinance. The president still appoints all seven members. This process is out of step with other towns in Connecticut. The State Legislature creates a bipartisan Commission with an equal number of members from both sides selected by the party members themselves. This has worked well for a number of decades for a number of different levels such as creating districts for State Senators, Probate Judges and even for the Congressional districts. Stamford, Bridgeport, Waterbury, Danbury and Hamden also have bipartisan Commissions with members from both sides selected by the party leaders. This process seems more like the

Washington D.C. method where the winner takes all and there is no bipartisanship, collaboration or inclusion. This creates friction, suspicion and acrimony, which is why the State and other cities have structure this the way they have. Elections matter and Democrats hold 14 out of the 15 seats. It is important for the Council Members to ask themselves how they wish to use their power. They have a choice to go with the proposed process or to follow the State's example.

He recommended that the Council adopt Stamford's model with eight members, four selected by the majority leader and four selected by the minority leader. He noted that there was a secondary process available where the Mayor can select three people. He concluded by asking the Council Members to give this due consideration.

Atty. Candela asked if there was anyone else who wished to address the Committee. No one indicated that this wished to address the Committee at this time.

Atty. Candela read the email sent by Ms. Lisa Brinton into the record as follows:

Dear Members of the Common Council Ordinance Committee,

I would like my public comments read into the record for the *January 30, 2024 Special Meeting of the Ordinance Committee*. I have also attached them as a Word document.

After speaking at the Ordinance Committee Meeting earlier this month, I am disappointed that the revised wording for *the Reapportionment Advisory Committee* remains effectively unchanged, with the Council President still maintaining the authority (and undue influence by the mayor and majority party) to select minority party members.

The process remains 'insider baseball' and is inconsistent with best practices of neighboring Democrat controlled cities: Bridgeport, Danbury, Stamford. I reference the specific *clauses* regarding their selection process. I believe each of you were provided this data in December:

- **Stamford:** The Reapportionment Commission shall be composed of eight (8) electors with four (4) members from each party selected by the Majority Leader and Minority Leader of the Board of Representatives.
- **Bridgeport:** If the City Council fails to adopt a reapportionment plan by the date set forth in §7.B of this Chapter, there shall be created a commission on redistricting composed of six (6) members, three (3) of whom shall be appointed by the leader of the majority party on the City Council **and three (3) of whom shall be appointed by the leader of the minority party on the City Council**. In the event that there is only one party on the City Council, the minority party members shall be appointed by the Registrar of Voters whose party is not represented on the City Council.
- **Danbury:** The reapportionment advisory commission shall consist of five members, all of whom shall be electors of the city. Two members shall be appointed by the majority leader of the City Council, and **two members shall be appointed by the minority leader of the City Council**, in the event that there are members of no more than two political parties on the City Council.

Per the Registrar of Voters, the current composition of Norwalk's electors are as follows:

- Democrats = 22,120
- Republicans = 9,213
- Unaffiliated = 23,590
- Other = 1042

For the past decade, Norwalk has had a Democrat mayor and 14-1 Democrat controlled council, despite 45% of the electorate voting differently. While appreciating our '*first past the post*' process for determining winner outcomes – it can't be ignored that 45% of

Norwalk's electorate does not support single party rule and remains frustrated by the lack of transparency, closed party caucuses and lack of check and balance on our Democrat Party controlled city.

Should the current language move forward, it demonstrates to 45% of Norwalk's electorate that this committee doesn't care about DIVERSITY, EQUITY OR INCLUSION when it comes to minority opposition. It also makes Norwalk an outlier compared to our neighbors by being less democratic – fueling the national debate about a lack of faith and confidence in government.

Genuine minority opposition, versus 'hand-picked insiders' regardless of the letter after their name should be welcomed. It demonstrates your commitment to the democratic process and good faith to the 45% of the electorate who vote differently. Group think can be a dangerous thing.

Thank you.

Lisa Brinton, Norwalk Independent Party Town Chair

19 Shorefront Park

Atty. Candela then read the email sent by Ms. Donna Smirniotopoulos into the record as follows:

Dear Members of the Ordinance Committee of the Common Council and Madame Chairman,

My name is Donna Smirniotopoulos, and I live at 18 Shorefront Park. Please read my comments into the record.

The revised language regarding appointments to the Redistricting Committee is depressingly similar to every other Norwalk committee appointment process. The composition of the committee requires individuals from the non-majority party. However, party of registration in Norwalk is not sufficient to create true diversity of opinion on this committee.

Norwalk has invested considerable real and emotional capital in promoting the *idea* of Diversity, Equity and Inclusion. In fact, however, when it comes to the many appointed bodies in the City, diversity of opinion is not their strong suit, and does not seem to be a sought after quality.

You have an opportunity this evening to correct course and to create a process for populating the Redistricting Committee that respects the diversity of opinion in this city--diversity of opinion that is poorly reflected today on any committee or commission that goes through the mayoral appointment process.

I ask that you amend the process to allow the Minority Leader to appoint minority party appointees and to consider that the single largest block of registered voters are Unaffiliated. We cannot be a city of progressive ideas when we keep dipping at the same well of "friendly" and well-known faces to serve on committees. While it is the prerogative of the mayor to appoint, and the council to "anoint," the Redistricting Committee is exempt from that process. If the Ordinance Committee chooses to leave the ultimate decision-making in the hands of the Council President, who is a full-time employee at City Hall, you might as well rubber stamp the committee with the choices the Mayor feels comfortable with and get on with it. But at least if this is the course you take, have the moral courage to admit that you are choosing NOT to pursue a path that is likely to be perceived as fair, equitable or inclusive.

Respectfully yours,

Donna Smirniotopoulos

City of Norwalk
Ordinance Committee
Regular Meeting
January 30, 2024

Atty. Candela asked if there was anyone else who wished to address the Committee at this time.

Ms. Lisa Henderson then indicated that she wished to speak. Ms. Henderson explained that she had experienced difficulty trying to access the meeting and indicate she wished to speak to the Committee.

Ms. Henderson stated her name and said she resides on 21 Apple Tree Lane in Norwalk. She informed the Committee that she owns properties in District C, District A and District B along with her residence. She said she was disappointed that after the last meeting there was no effective change to the ordinance than what was presented on January 16th. The taxpayers of Norwalk requested a more equitable way for the selection of Committee members but were ignored. She asked that was the message that the Committee wished to send to the taxpayers that they represent.

Ms. Henderson asked the Committee to reconsider this portion of the ordinance and allow for minority representation chosen by the minority political leaders. She thanked the Committee for their time.

Atty. Candela asked if there was anyone else who wished to address the Committee at this time. No one indicated that they wished to address the Committee at this time.

PUBLIC HEARING DISCUSSION

• Discuss and vote on Ordinance Establishing an Advisory Committee for the Reapportionment of Common Council Voting Districts with Attorney Steve Mednick.

Ms. Shanahan then indicated that there were a number of small grammatical errors in §9.25c and §9.28a; §9.28b; §9.28c, §9.28e, §9.28f, §9.29c(1), §9.30c, §9.31 Section title.

Atty. Mednick also had some edits for document.

Ms. Niedzielski-Eichner requested a change for §9-28a.

Atty. Candela made the changes to the document as requested.

Atty. Mednick said that §9-26b specifically recognized the minority representation. He noted that every town had different models throughout the State. He went on to speak about the major changes that were made since the previous meeting, such as having the boundary lines of the Taxing District being considered as well.

He spoke about the details of the Reapportionment Advisory Committee and explained that there would be no political majority on the Committee. The Charter makes it clear that there are

different forms of diversity that need to be recognized in the appointments. He added that he would urge the Committee to create some fail safe measures that would further protect the nonpartisan elements in the two committees. He then gave a brief overview of what that would look like. The Reapportionment Committee is advisory only and will make their recommendations, but it will be up to the Common Council to make the final judgements.

Ms. Niedzielski-Eichner thanked Ms. Shanahan and Atty. Mednick for the time spent on this. She said that the addition of the historical boundaries was important and it was important to make as few changes as possible. Secondly, she said that Norwalk is not a bipartisan City and many of the voters are unaffiliated. She noted that they could not predict what the composition would be in the future. No party has a majority on the Committee.

Ms. Dunn said that there was not a sense of accountability. She said that there was no indication of intent. She said that the optics were important because they show the residents the Council's intent. She would like to see the ordinance be stronger regarding more equitable representative, such as a convicted felon. This will be a living document for the City.

Ms. Murray said agreed with Ms. Niedzielski-Eichner about the non-partisan way. She said that she supported the proposal. After researching the best practices online, the majority indicated that the best practice would be to have a non-partisan Committee.

Mr. Sead said that they had removed the power of the Mayor to appoint candidates to various commissions and now the President has that power. Giving the power to the majority leader or minority leader is simply transferring the power that they just removed from the Mayor. This was problematic to him. He said that he felt comfortable with the way it has been written.

Mr. Goldstein said that there were a number of great points made. He said that the Council would be the actual level of accountability because the plan has to be adopted and approved by the Common Council. Mr. Goldstein said he felt this was a reasonable plan and felt that the reapportionment would be fairly small. This is an nonpartisan process because there are people who are from all different political views on the Boards and Commissions across the City. He said that he didn't see a problem with this and added having an arbitrary veto power was something that the Committee should not entertain.

Ms. Murray said that after Mr. Wilms spoke, and researching the Stratford failsafe structure she felt that going back to the Mayor would be a balanced fail safe for the process.

Ms. Dunn said she found it interesting they reference Stamford because there were some issues going on in their party. Ms. Dunn said her concern was what would happen if there was an all Democratic Council. She requested a roll call vote so that the record reflects how each individual voted.

Ms. Murray stated that she had reference Stratford, not Stamford. Discussion followed on the differences between Stamford and Norwalk regarding this issue.

Ms. Niedzielski-Eichner said that no one has a majority on this advisory Committee. The goal is not to take advantage of the Democratic majority, but to take advantage of the full spectrum of the community. Discussion followed.

Ms. Shanahan said that they wanted a nonpartisan board to do this work and were hopeful that the language that stated they wished to have a diverse representation of the City gets the point across to the decision maker, which would be the Council President. The language includes references civic, political and community leaders within the community, which provides the scope for the selection.

**** MS. MURRAY MOVED TO SEND THE ORDINANCE ESTABLISHING AN ADVISORY COMMITTEE FOR THE REAPPORTIONMENT OF COMMON COUNCIL VOTING DISTRICTS TO PUBLIC HEARING AT THE NEXT MEETING ON FEBRUARY 20TH.**

****MR. SEAD SECONDED.**

**** THE MOTION PASSED WITH SIX (6) IN FAVOR (GOLDSTEIN, LOPEZ, MURRAY, NIEDZIELSKI-EICHNER, SEAD AND SHANAHAN) AND ONE (1) OPPOSED (DUNN).**

ACCEPTANCE OF MINUTES CONT'D

Atty. Candela stated that there had been no motion to approve the minutes as corrected.

**** MR. GOLDSTEIN MOVED THE MINUTES OF THE JANUARY 16, 2024 REGULAR MEETING.**

**** THE MOTION TO APPROVE THE JANUARY 16, 2024 REGULAR MEETING MINUTES AS AMENDED.**

NEW BUSINESS:

There was no additional business to consider at this time.

ADJOURNMENT

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

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:00 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services