COMMON COUNCIL REGULAR MEETING AUGUST 9, 2022
NORWALK, CONNECTICUT COMMON COUNCIL CHAMBERS & VIA TELECONFERENCE

ALL COMMON COUNCIL ACTIONS TAKEN AT THIS MEETING TO APPROVE EXPENDITURES AND CONTRACTS OR TO ACCEPT BIDS AND OTHER PROPOSALS REQUIRING THE EXPENDITURE OF CITY FUNDS ARE SUBJECT TO THE AVAILABILITY OF FUNDS

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 norwalkct.org/meetings Members of the public can call in and listen to a meeting. They will not be able to speak or see any of the meeting participants. Each meeting will use a unique Meeting/Webinar ID. Please find the information using the link above.

Members of the public who wish to provide "live comments" will need to register in advance and use the Zoom meeting platform. All participants will be muted upon entering the meeting. To speak, click the “raise your hand indicator” and you will called on by the host of the meeting during the public comment section. Please find the information using the link above.

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 Irene Dixon at idixon@norwalkct.org to provide written public comment prior to the meeting.

Mayor Rilling called the meeting to order at 7:32 p.m. and led the Assembly in reciting the Pledge of Allegiance.

I. <u>ROLL CALL</u>

Ms. Dixon called the Roll:

Council at Large:	Mr. Gregory Burnett Ms. Nora Niedzielski Eichner	Ms. Dominique Johnson Ms. Barbara Smyth
District A:	Ms. Nicol Ayers	Mr. David Heuvelman
District B:	Ms. Darlene Young	
District C:	Mr. John Kydes	
District D:	Ms. Heidi Alterman	Mr. Bryan Meek
District E:	Mr. Thomas Livingston	Ms. Lisa Shanahan

At Roll Call there were twelve (12) Council members present and three (3) absent (Mr. Goldstein, Ms. McMurrer and Ms. Revolus). A Quorum was present.

Also present were Mayor Harry Rilling, City Clerk, Irene Dixon, Assistant City Clerk, Jordan Schantz and Corporation Counsel, Mario Coppola.

II. <u>ACCEPTANCE OF MINUTES</u>

Regular Meeting: July 26, 2022

** **MS. YOUNG MOVED TO APPROVE THE MINUTES AS PRESENTED**
** **MOTION PASSED WITH TWO (2) ABSTENTIONS (MS. NIEDZIELSKI EICHNER AND MS. SHANAHAN)**

III. <u>PUBLIC PARTICIPATION</u>

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

Ms. Diane Lauricella expressed gratitude for having the Industrial Study and noted that there is a need to change the Industrial Zone. She asked the Common Council to approve the item with the caveat that there be an enforcement forum sooner rather than later with the Health Department playing a primary role. In addition, Ms. Lauricella suggested as the City prepares its budget that in increases the Zoning Enforcement staff to help with Zoning problems. She said there are many violators who are allowed to exist with illegal contractor yards. She said she hoped the Common Council would approve the item, but they need to look at improving enforcement.

IV. **<u>MAYOR</u>**

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS:

Mayor Rilling announced the resignation of Mr. Brian Baxendale from the Planning and Zoning Commission

APPOINTMENTS:

Due to a potential conflict of interest, Ms. Johnson recused herself from participating in voting on this appointment.

** **MS. SHANAHAN MOVED TO APPROVE THE APPOINTMENT OF MICHAEL MATTHEWS TO THE HARBOR MANAGEMENT COMMISSION**

Ms. Shanahan spoke in support of this appointment.

** **MOTION PASSED UNANIMOUSLY**

REAPPOINTMENTS: There were no reappointments announced this evening.

MAYOR'S REMARKS:

Mayor Rilling announced that the City website will now include a real-time COVID data hub so that Norwalk residents are able to stay up to date on COVID information and local resources. The Jazz Summer Concert Series will continue Saturday, August 13th, at Calf Pasture Beach. The Billy Joel tribute band will play at Calf Pasture Beach tomorrow evening.

Mayor Rilling announced that he will be joined by Dr. Estrella and Senator Duff for the groundbreaking for Cranbury Elementary School on Thursday, August 11th at 11:00 a.m. He said they now have a 25-year school renovation and replacement plan. This process will ensure all schools have air conditioning.

V. **COUNCIL PRESIDENT**

A. GENERAL COUNCIL BUSINESS:

** MR. LIVINGSTON MOVED TO APPROVE THE FOLLOWING ITEM:

1. **INITIATION AND CREATION OF 2022-2023 NORWALK CHARTER REVISION COMMISSION**

Mr. Livingston reviewed this item and said the City retained Attorney Steve Mednick who has been spending time re-organizing the Charter. This vote is to establish the Charter Revision Commission. He described the scope of the Charter Revision Commission.

Mr. Livingston read the following resolution:

RESOLUTION OF THE NORWALK COMMON COUNCIL

RE: INITIATION AND CREATION OF THE 2022-2023 NORWALK CHARTER REVISION COMMISSION

WHEREAS, THE CHARTER OF THE CITY OF NORWALK (”CITY”) WAS LAST AMENDED ON NOVEMBER 8, 2016; AND

WHEREAS, PURSUANT TO THE PROVISIONS OF C.G.S. §7-187, ET SEQ., THE COMMON COUNCIL IS THE APPOINTING AUTHORITY FOR A CHARTER REVISION COMMISSION AND, ACTING BY A TWO-THIRDS (2/3RDS) VOTE OF ITS ENTIRE MEMBERSHIP, MAY INITIATE A CHARTER REVISION; AND

WHEREAS, THE COUNCIL HAS RETAINED THE SERVICES OF ATTORNEY STEVEN G. MEDNICK AS CHARTER REVISION COUNSEL TO (1) CONSULT WITH THE COMMON COUNCIL AND THE OFFICE OF THE CORPORATION COUNSEL; AND (2) PROVIDE SUCH ASSISTANCE TO THE CHARTER REVISION COMMISSION AS DEEMED NECESSARY; AND

WHEREAS, THE COUNCIL HAS, FROM TIME TO TIME, ENCOUNTERED ISSUES OF SUBSTANCE AND IMPORT TO THE OPERATION OF THE CITY AND EFFECTIVE REPRESENTATION OF

THE PEOPLE OF THIS CITY THAT WOULD BENEFIT FROM A THOROUGH REVIEW OF THE CHARTER BY A CHARTER REVISION COMMISSION; AND

WHEREAS, AMONG THOSE ISSUES RIPE FOR REVIEW ARE THE NEED TO
(1) RE-STRUCTURE AND RE-ORGANIZE THE CHARTER INTO A MORE ACCESSIBLE AND UNDERSTANDABLE DOCUMENT, BOTH FOR OUR RESIDENTS WHO EXPECT AN ACCOUNTABLE AND RESPONSIBLE GOVERNMENT AND FOR OUR PUBLIC OFFICIALS WHO ARE CHARGED WITH THE RESPONSIBILITY OF CONDUCTING THE BUSINESS OF GOVERNMENT IN ACCORDANCE WITH THE PROVISIONS OF THE CHARTER; AND
(2) DETERMINE THE RELEVANCE AND UTILITY OF PROVISIONS OF THE HISTORICAL SPECIAL ACTS, WHICH FORM THE FOUNDATION OF THE CHARTER, TO A 21ST CENTURY MUNICIPALITY, INCLUDING THE ROLES OF THE MAYOR AND THE EXECUTIVE DEPARTMENTS AND OTHER PUBLIC ENTITIES, THE LEGISLATIVE FUNCTIONS OF THE COMMON COUNCIL, THE BUDGET PROCESS, THE REGULATORY, OVERSIGHT AND POLICY ROLES AND RESPONSIBILITIES OF BOARDS AND COMMISSIONS, AND CERTAIN ELECTED POSITIONS ESTABLISHED BY THE CHARTER.

NOW, THEREFORE, BE IT RESOLVED, PURSUANT TO THE PROVISIONS OF C.G.S. §7-187 THROUGH 7-194, SPECIFICALLY §7-188(B), THE COMMON COUNCIL HEREBY INITIATES AN ACTION TO AMEND THE CURRENT CHARTER BY AUTHORIZING THE CREATION OF A CHARTER REVISION COMMISSION, ACTING BY A TWO-THIRDS (2/3RDS) VOTE OF ITS ENTIRE MEMBERSHIP; AND BE IT FURTHER

RESOLVED, THAT SAID COMMISSION SHALL BE EMPANELED FOR THE PURPOSE OF UNDERTAKING A THOROUGH REVIEW OF THE CURRENT CHARTER, INCLUDING BUT NOT LIMITED TO A REORGANIZATION OF THE DOCUMENT THAT IS MORE ACCESSIBLE TO OUR RESIDENTS AND USEFUL IN THE DAY-TO-DAY GOVERNANCE OF THE CITY; IN THIS RESPECT, THE COMMISSION SHALL REVIEW ALL ASPECTS OF THE STRUCTURE OF CITY GOVERNMENT AS PART OF ITS OVERALL CHARGE; AND

BE IT FURTHER RESOLVED, PURSUANT TO C.G.S. §7-190, THAT WITHIN THIRTY (30) DAYS FOLLOWING INITIATION OF THE CHARTER REVISION PROCESS, THIS COUNCIL SHALL, BY RESOLUTION,

(1) APPOINT A CHARTER REVISION COMMISSION CONSISTING OF NOT FEWER THAN FIVE (5) NOR MORE THAN FIFTEEN (15) ELECTORS, NOT MORE THAN ONE-THIRD (1/3RD) OF WHOM MAY HOLD PUBLIC OFFICE IN THE CITY, AND NOT MORE THAN A BARE MAJORITY OF WHOM SHALL BE MEMBERS OF ANY ONE POLITICAL PARTY, WHICH COMMISSION SHALL DESIGNATE A CHAIR, VICE-CHAIR AND SECRETARY AND PROCEED FORTHWITH TO DRAFT ANY SUCH CHARTER AMENDMENTS; AND

(2) ESTABLISH THE TIMEFRAME FOR SUBMISSION OF A DRAFT AND FINAL REPORT BY SAID COMMISSION.

Mr. Heuvelman said he was excited that they were setting up this commission and looks forward to the work product that will come out of this commission. Ms. Smyth said this was long overdue; they need to make a document that is readable and usable. Mr. Burnett said that while they are moving forward with the commission doing the core work, he recommended that the public reach out to their Council member so they can bring their questions to the Commission. He said Common Council members will be available to receive input from the residents and forward that input to the Commission.

Mr. Livingston asked Mr. Mednick if they need to choose a Chair, Vice Chair and Secretary. Mr. Mednick said they could strike that clause.

** **MOTION PASSED UNANIMOUSLY BY ROLL CALL VOTE (MR. BURNETT; MS. JOHNSON MS. NIEDZIELSKI EICHNER; MS. SMYTH; MS. AYERS; MR. HEUVELMAN; MS. YOUNG; MR. KYDES; MS. ALTERMAN; MR. MEEK; MR. LIVINGSTON AND MS. SHANAHAN)**

Mayor Rilling said he expects the Commission to make great inroads on the Charter Revision and noted that its review should be on-going.

RESIGNATION AND APPOINTMENTS

RESIGNATIONS:

Mayor Rilling announced the resignation of Ms. Kara Murphy from the Board of Ethics. He thanked her for her hard work on behalf of the Board.

APPOINTMENTS: There were no appointments announced this evening.

REAPPOINTMENTS: There were no reappointments announced this evening.

B. CONSENT CALENDAR:

Mr. Livingston announced that Ms. Young would be reading this evening's Consent Calendar.

**** MS. YOUNG MOVED TO APPROVE THE FOLLOWING CONSENT CALENDAR:**

VII.A.1, VII.A.2, VII.B.2A, VII.B.2B, VII.B.3A, VII.B.3B

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

A. CORPORATION COUNSEL

VII. COMMON COUNCIL COMMITTEES

A. PUBLIC WORKS COMMITTEE

1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A SEVENTH AMENDMENT TO THE AUGUST 28, 2007 AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES BETWEEN THE CITY OF NORWALK AND A. DICESARE ASSOCIATES, P.C., REGARDING THE EAST AVENUE RECONSTRUCTION PROJECT, FOR AN AMOUNT NOT TO EXCEED $165,000.00 IN ACCORDANCE WITH THE ATTACHED SCOPE OF SERVICES DATED AUGUST 1, 2022.
ACCOUNT NO. 09 22 4021 5777 C0471
09 23 4021 5777 C0471

2. AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE THE FIRST AMENDMENT TO THE JANUARY 24, 2022 AGREEMENT WITH COLONNA CONCRETE & ASPHALT PAVING LLC, FOR PROJECT DRG2021-1 DREAMY HOLLOW/BETTS BROOK AREA

DRAINAGE, SANITARY SEWER & WATER MAIN IMPROVEMENTS, FOR AN AMOUNT NOT TO EXCEED $ 1,955,000.00.
ACCOUNT NO. 09 20 4062 5777 C0361
09 22 4062 5777 C0361
13 40 5796 APW01
13 40 5796 APW06

B. LAND USE & BUILDING MANAGEMENT

2A. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO ANTINOZZI ASSOCIATES, PC TO PROVIDE CONCEPTUAL DESIGN SERVICES AND PROFESSIONAL COST ESTIMATES FOR WEST ROCKS AND ROTON MIDDLE SCHOOLS FOR A TOTAL NOT TO EXCEED $25,000.00 ACCT. #09175010 5777 C06585.

2B. AUTHORIZE TO ESTABLISH A CONTINGENCY FOR ADDITIONAL SERVICES AS MAY BE REQUIRED FOR A TOTAL NOT TO EXCEED $2,500.00

3A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH J. ANTONELLI ROOFING (A DIV. OF THE PROPERTY GROUP CT, INC.) FOR THE NORWALK PUBLIC WORKS CENTER SALT SHED ROOF REPLACEMENT PROJECT FOR A TOTAL NOT TO EXCEED $72,250.00. FUNDS ARE AVAILABLE FROM ACCOUNT #09237100 5777 C0119

3B. AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO ISSUE CHANGE ORDERS ON THE CONTRACT FOR A TOTAL NOT TO EXCEED $7,225.00.

** **MOTION PASSED UNANIMOUSLY**

VII. **COMMON COUNCIL COMMITTEES**

B. LAND USE & BUILDING MANAGEMENT

** **MR. LIVINGSTON MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH CONSULTING ENGINEERING SERVICES, INC. TO PROVIDE BUILDING COMMISSIONING SERVICES FOR THE NORWALK HIGH SCHOOL**

PROJECT FOR A TOTAL NOT TO EXCEED $208,880.00 ACCT. #09215010 5777 C0787

AND TO AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO EXECUTE CHANGE ORDERS ON CONTRACT FOR ADDITIONAL SERVICES FOR A TOTAL NOT TO EXCEED $20,000 ACCT. #09215010 5777 C0787.

Mr. Livingston explained that this item relates to the commissioning agent. This provider was selected through an RFP process where there were six bidders.

** **MOTION PASSED WITH ONE (1) VOTE IN OPPOSITION (MR. MEEK)**

Mayor Rilling noted that it has been 50 years since a new school was built.

C. ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE

** **MR. KYDES MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL DOCUMENTATION TO RATIFY AND APPROVE THE INDUSTRIAL ZONES STUDY.**

Mr. Kydes thanked the City staff for working on this and for their commitment to improving Zoning enforcement. He said he was optimistic they will be able to improve the quality of life for the residents in this area. The consequences will be grand if this is not supported.

Ms. Niedzielski Eichner expressed her appreciation for the staff for hearing the concerns of the members of the Common Council. She said she remains concerned that significant work is needed in the Meadow Street and Wilson Avenue areas. She said she is looking forward to working with the staff to make sure the Industrial Zone works for the residents. She added that this is a work in progress.

** **MOTION PASSED UNANIMOUSLY**

IX. <u>**MOTIONS POSTPONED TO A SPECIFIC DATE**</u>

There were no motions postponed to a specific date this evening.

X. **SUSPENSION OF RULES**

** **MS. JOHNSON MOVED TO SUSPEND THE RULES TO ADD AN ITEM TO THE AGENDA**
** **MOTION PASSED UNANIMOUSLY**

COMMUNITY SERVICES COMMITTEE

** **MS. JOHNSON MOVED TO AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH CT FOODSHARE FOR USE OF THE BEN FRANKLIN COMMUNITY CENTER PARKING LOT FOR A MOBILE FOOD PANTRY MONTHLY (ON THE MORNING OF EACH FOURTH SATURDAY) BEGINNING IN SEPTEMBER 2022.**

Ms. Johnson reviewed the item and noted that CT Foodshare will not need access to the building. She added that the mobile food pantry used the Ben Franklin Community Center parking lot in 2019.

** **MOTION PASSED UNANIMOUSLY**

Mayor Rilling said this was a wonderful initiative and noted there are people with food insecurity.

I. **ADJOURNMENT**

** **MS. SHANAHAN MOVED TO ADJOURN**
** **MOTION PASSED UNANIMOUSLY**

There was no further business, and the meeting was unanimously adjourned at 8:09 p.m.

ATTEST:________________________
Irene Dixon, City Clerk