COMMON COUNCIL	**ACTION**	**FBRUARY 13, 2019**
NORWALK, CONNECTICUT	**7:00 PM EST**	**COUNCIL CHAMBERS**

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

S P E C I A L   M E E T I N G

1. **Roll Call** 8, Ms. Melendez arrived at 7:40 pm, Mr. Burnett, Mr. Corsello, Mr. Hosten, Mr. Sacchinelli, Mr. Dumas, Ms. Siegelbaum, Mr. Tsiranides absent

2. **Presentation of the 2019-20 Operating Budget** **NO ACTION TAKEN**

3. **Adjournment** 7:52 PM

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

SPECIAL MEETING *

I. ROLL CALL 10 present, Mr. Corsello, Mr. Hosten, Mr. Sacchinelli, Ms. Siegelbaum and Mr. Tsiranides absent

II. ACCEPTANCE OF MINUTES

Regular Meeting: January 22, 2019 **APPROVED**

III. PUBLIC PARTICIPATION

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS:

APPOINTMENTS:

Mary Ellen Barrelle, Board of Assessment Appeals, Regular	**APPROVED**
Meggan Douglas, Board of Assessment Appeals, Regular	**APPROVED**
Elliott C. Morales, Board of Assessment Appeals, Regular	**APPROVED**
Donald Overton, Board of Assessment Appeals, Regular	**APPROVED**
Harriet Petrides, Board of Assessment Appeals, Regular	**APPROVED**
Steve Scatamacchia, Board of Assessment Appeals, Regular	**APPROVED**
Janet H. Woodward, Board of Assessment Appeals, Regular	**APPROVED**
Doris M. Ash, Board of Assessment Appeals, Alternate	**APPROVED**
Cindy Ellerman, Board of Assessment Appeals, Alternate	**APPROVED**
Judith G. Hyers, Board of Assessment Appeals, Alternate	**APPROVED**

REAPPOINTMENTS:

MAYOR'S REMARKS: The Mayor read a Proclamation commemorating February as Black History Month. VITA, AARP and the IRS are providing free tax preparation and filing assistance until April 15, 2019 in several locations in Norwalk. On February 20, 2019, there will be an informational meeting regarding Wall Street Parking at Yankee Doodle Garage. Lastly, the Mayor wished everyone a Happy President's Day and Valentine's Day.

V. COUNCIL PRESIDENT

1. Adoption of Common Council Rules **ADOPTED**

CONSENT CALENDAR: VI.A.1, VII.A.1, VII.A.2a, VII.A.2b, VII.A.3, VII.B.1, VII.B.2, VII.B.3,VII.B.4, VII.B.5, VII.B.6, VII.C.1, VII.C.2, VII.D.2, VII.D.3, VII.D.4, VII.D.5, VII.D.6, VII.D.7, VII.D.8a, VII.D.8b, VII.D.8c, VII.D.9, VII.D.10a, VII.D.10b

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

A. CORPORATION COUNSEL

1. Approve Authorization to Settle Claim: Maria Rodriguez – Moran vs. Douglas Bamford and the City of Norwalk
EXECUTIVE SESSION **APPROVED**

VII. COMMON COUNCIL COMMITTEES

A. HEALTH, WELFARE AND PUBLIC SAFETY COMMITTEE

1. Authorize the Mayor, Harry W. Rilling, to execute any and all agreements, documents, instruments, and amendments necessary to request and accept grant funds under Connecticut Department of Transportation 2019 Distracted Driving High Visibility Enforcement Grant in the amount of $49,800.00. **AUTHORIZED**

2a. Authorize the Mayor, Harry W. Rilling, to execute any and all documents necessary to apply for and accept grant funds from the State of Connecticut for the Preventive Health Block Grant in the amount of $22,673 for the period October 1, 2018 to September 30, 2019. **AUTHORIZED**

2b. Authorize the Mayor, Harry W. Rilling, to execute any and all agreements, documents, instruments or amendments as may be necessary to implement the Preventive Health Block Grant for the period October 1, 2018 to September 30, 2019. **AUTHORIZED**

3. Authorize the Purchasing Agent to issue a sole source purchase order to Seraphin, a division of Pemberton Fabricators Inc., for a fully enclosed Seraphin low profile slip on testing trailer in the amount of $30,541.00. Account # 09 19 2012 5777 C0627. **AUTHORIZED**

B. PUBLIC WORKS COMMITTEE

1. Authorize the Mayor, Harry W. Rilling, to execute any and all documents between the Federal Emergency Management Agency (“FEMA”) and the Norwalk Water Pollution Control Authority (“WPCA”) in connection a FEMA Grant Application titled “City of Norwalk Five Mile River Pump Station Upgrade-PDM2018”. This grant is for project costs of 75% ($135,000.00) FEMA Funds and 25% ($45,000.00) WPCA Funds. **AUTHORIZED**

2. Authorize the Mayor, Harry W. Rilling, to execute any and all documents between the Federal Emergency Management Agency (“FEMA”) and the Norwalk Water Pollution Control Authority (“WPCA”) in connection a FEMA Grant Application titled “City of Norwalk Five Mile River Pump Station Upgrade-FMA2018”. This grant is for project costs of 75% ($135,000.00) FEMA Funds and 25% ($45,000.00) WPCA Funds. **AUTHORIZED**

3. Authorize the Mayor, Harry W. Rilling, to execute any and all documents between the Federal Emergency Management Agency (“FEMA”) and the Norwalk Water Pollution Control Authority (“WPCA”) in connection a FEMA Grant Application titled “City of Norwalk Keeler Brook Pump Station Upgrade-PDM2018”. This grant is for project costs of 75% ($2,250,000.00) FEMA Funds and 25% ($750,000.00) WPCA Funds. **AUTHORIZED**

4. Authorize the Mayor, Harry W. Rilling, to execute any and all documents between the Federal Emergency Management Agency (“FEMA”) and the Norwalk Water Pollution Control Authority (“WPCA”) in connection a FEMA Grant Application titled “City of Norwalk Keeler Brook Pump Station Upgrade-FMA2018”. This grant is for project costs of 75% ($2,250,000.00) FEMA Funds and 25% ($750,000.00) WPCA Funds. **AUTHORIZED**

5. Approve the abandonment/discontinuance of a portion of Stevens Street beginning at the easterly boundary of the City property located at 340 West Avenue (Tax Lot 1-8-15-0) and heading west to the westerly boundary of the City property located at 350 West Avenue (Tax Lot 1-8-39-0) as depicted on a map prepared by Ryan and Faulds Land Surveyors, A Redniss & Mead Company entitled “Property Survey Abandonment Map Of A Portion Of Stevens Street, Norwalk, Connecticut,” dated October 4, 2018, at a scale of 1” = 20’ on file in the Department of Public Works indicating said portion of Stevens Street to be abandoned and incorporated into the existing City properties located at 340 West Avenue and 350 West Avenue subject to an easement for the existing Norwalk River Valley Multi-Purpose Trail. **APPROVED**

6. Authorize the Mayor, Harry W. Rilling, to execute any and all necessary or desired documents in connection with the finalization of the discontinuance and release of the City’s interests in the discontinued roadway, including a general release to release any interests that the City may have in the property comprising the abandoned portion of Stevens Street beginning at the easterly boundary of the City property located at 340 West Avenue (Tax Lot 1-8-15-0) and heading west to the westerly boundary of the City property located at 350 West Avenue (Tax Lot 1-8-39-0) as depicted on a map prepared by Ryan and Faulds Land Surveyors, A Redniss & Mead Company entitled “Property Survey Abandonment Map Of A Portion Of Stevens Street, Norwalk, Connecticut,” dated October 4, 2018, at a scale of 1” = 20’ on file in the Department of Public Works indicating said portion of Stevens Street to be abandoned and incorporated into the existing City properties located at 340 West Avenue and 350 West Avenue subject to an easement for the existing Norwalk River Valley Multi-Purpose Trail. **AUTHORIZED**

C. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

1. RESCIND THE COUNCIL APPROVAL OF JANUARY 22, 2019:
Authorize the Mayor, Harry W. Rilling to enter into an agreement MBI Inc. for the use of Norwalk High School Front Lawn and Parking Area for their NHS Winter Guard/Percussion Home Show to be held Saturday, March 23, 2019 from 8:00 AM – 9:00 PM. Estimated attendance 2,500 Staggered. **RESCINDED**

2. APPROVE AS REVISED:
Authorize the Mayor, Harry W. Rilling to enter into an agreement with Marching Bears, Inc. for the use of Norwalk High School Front Lawn and Parking Area for their NHS Winter Guard/Percussion Home Show to be held Saturday, March 23, 2019 from 8:00 AM – 9:00 PM. Estimated attendance 2,500 Staggered.
APPROVED

D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1. Authorize the Mayor, Harry W. Rilling, to execute any and all documents necessary for the disposition of West Avenue Parking Lot (District 1, Block 8, Lot 15 & 39 - 340 and 350 West Avenue) to Norwalk Hospital Association which may include, but not limited to, related leases and easements. Terms and conditions shall be as outlined in Alan Lo's memo dated December 5, 2018. **AUTHORIZED**

2. Authorize the Mayor, Harry W. Rilling, to execute a License Agreement with Blue Teapot LLC to provide café services at the Belden Main Library for one year with an one-year extension option. Terms for the Agreement shall be as outlined in Christine Bradley's memo dated January 18, 2019. **AUTHORIZED**

3. Authorize the Mayor, Harry W. Rilling, to execute an Amendment to the Administrative Settlement Agreement between the State of Connecticut and the City of Norwalk for the Maritime Aquarium at Norwalk Functional Replacement Project in order for the State to provide funding directly to the City and the City to have full responsibility in the management of the funds and project related contracts necessary to implement the Project. **AUTHORIZED**

4. Authorize the Mayor, Harry W. Rilling, to amend the Finance Agreement with Maritime Aquarium at Norwalk dated August 20, 2018 for the Functional Replacement Project in order for the City to receive the State's Functional Replacement funds directly and to have full project management responsibilities necessary to implement the Project. **AUTHORIZED**

5. Authorize the Mayor, Harry W. Rilling, to execute an Amendment to Amended and Restated Lease Agreement with the Maritime Aquarium at Norwalk in order to terminate Amendment #1 and to incorporate new terms for the City to receive the State's Functional Replacement funds directly and to have full project management responsibilities necessary to implement the Project. **AUTHORIZED**

6. Authorize the Mayor, Harry W. Rilling, to execute an Agreement with Beyer Blinder Belle Architects and Planners LLP for the Maritime Aquarium at Norwalk Functional Replacement Project to provide schematic redesign services and allowance for design development and construction document phases for a total not to exceed $225,000.00. Funds available from the State's Maritime Aquarium Functional Replacement Grant. **AUTHORIZED**

7. Authorize the Mayor, Harry W. Rilling, to execute a Contract with A.P. Construction /O&G Industries as a Joint Venture for the Maritime Aquarium at Norwalk Functional Replacement Project. Terms of the agreement shall include the following:
    - Preconstruction Services Fee- $118,760
    - CM Fee – 2.45%
    - CM Contingency – 3.00%

   Funds available from the State's Maritime Aquarium Functional Replacement Grant. **AUTHORIZED**

8a. Rescind Common Council Action of August 14, 2018 item VII.D.2. which authorized the following:

"Authorize the Mayor, Harry W. Rilling, to execute an Agreement with Strategic Building Solutions, LLC d/b/a Colliers International to provide commissioning services for the Ponus Ridge School additions and renovations project for a total not to exceed of $80,350. Account # 09185010 5777 C0608" **RESCINDED**

8b. Authorize the Mayor, Harry W. Rilling, to execute an Agreement with Horizon Engineering Associates LLP to provide building mechanical equipment commissioning services for the Ponus Ridge School additions and renovations project for a total not to exceed of $76,800. Acct. #09185010 5777 C0608 **AUTHORIZED**

8c. Authorize the NFCC to issue Change Orders on Contract for a total not to exceed $7,680. **AUTHORIZED**

9. Authorize the Mayor, Harry W. Rilling, to execute any and all documents with Eversource for the installation of a new gas service to Ponus Ridge School for a total not to exceed $30,000. Acct. #09185010 5777 C0608 **AUTHORIZED**

10a. Authorize the Mayor, Harry W. Rilling, to execute an agreement with All State Construction Inc. for the installation of new fresh air intake equipment at DPW Garage Administration Offices for a total not to exceed $31,971.00. Accounts #09197100 5777 C0119. **AUTHORIZED**

10b. Authorize the Office of Building Management to issue change orders on contract for a total not to exceed $3,200.00. **AUTHORIZED**

E. <u>FINANCE COMMITTEE</u>

1. RESOLUTION: Authorize the Mayor, Harry W. Rilling, to execute any and all agreements, documents and instruments necessary for the City of Norwalk to make a special appropriation to Oak Hills Park Authority in the amount of $83,000.00. **AUTHORIZED AS AMENDED**

2. RESOLUTION: Authorize the Mayor, Harry W. Rilling, to execute any and all agreements, documents and instruments necessary for the City of Norwalk to restructure all City loans to Oak Hills Park Authority's ("OHPA"). Restructure Terms: 0.00% interest rate, retroactive to fiscal year 2017; monthly payments commencing July 1, 2020; monthly loan payments equal to $2.00 multiplied by the aggregate number of all 9 and 18 rounds of golf purchased per month in the first fiscal year, increasing by $0.05 every fiscal year thereafter, plus an annual payment of 1% audited gross golf revenue. OHPA shall not be obligated to borrow on its line of credit to take the 1% audited gross golf revenue payment. **AUTHORIZED**

3. RESOLUTION: Authorize the Mayor, Harry W. Rilling, to execute any and all agreements, documents and instruments necessary for the City of Norwalk to amend the terms of its lease with the Oak Hills Park Authority's ("OHPA") for Oak Hills Park. Principle Terms: Extending the lease term for 30 years through 2049; modification of OPHA's default terms whereby a default under the restructured loan with the City of Norwalk is a default under the lease; removal of the lease term prohibiting a restaurant bar; starting in fiscal year 2021, 50% of net rental payments from food services vendor up to a reasonable cap to be negotiated to be set aside in a fund for capital improvements to the restaurant building; selection process for retaining food services vendor and terms of any lease offered to said vendor shall be subject to Common Council approval. **AUTHORIZED AS AMENDED**

VIII. RESOLUTIONS FROM COMMON COUNCIL

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

X. SUSPENSION OF RULES

XI. ADJOURNMENT 9:06 PM

APPOINTMENTS

BOARD OF ASSESSMENT APPEALS	M/C	CGS/NwkCht 1-271/NCC 103
MARY ELLEN BARRELLE (D) 19 Burchard Lane Norwalk, CT 06853	**APPROVED**	Term Expires 11/01/2021 Regular
MEGGAN DOUGLAS (U) 14 McKinley Street Norwalk, CT 06853	**APPROVED**	Term Expires 11/01/2021 Regular
ELLIOTT C. MORALES (U) 14 Southwind Drive Norwalk, CT 06854	**APPROVED**	Term Expires 11/01/2021 Regular
DONALD OVERTON (R) 309 Foxboro Drive Norwalk, CT 06851	**APPROVED**	Term Expires 11/01/2021 Regular
HARRIET PETRIDES (U) 10 Burlington Drive Norwalk, CT 06851	**APPROVED**	Term Expires 11/01/2021 Regular
STEVE SCATAMACCHIA (U) 8 Colonial Place Norwalk, CT 06851	**APPROVED**	Term Expires 11/01/2021 Regular
JANET H. WOODWARD (R) 18 Catalpa Street Norwalk, CT 06851	**APPROVED**	Term Expires 11/01/2021 Regular
DORIS M ASH (D) 61 Hills Lane Westport, CT 06880	**APPROVED**	Term Expires 11/01/2019 Alternate
CINDY ELLERMAN (D) 61 Fair Street Norwalk, CT 06851	**APPROVED**	Term Expires 11/01/2019 Alternate
JUDITH G. HYERS (R) 199 Gregory Boulevard A2 Norwalk, CT 06855	**APPROVED**	Term Expires 11/01/2019 Alternate

COMMON COUNCIL
NORWALK, CONNECTICUT

FEBRUARY 13, 2019
COUNCIL CHAMBERS

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.

Mayor Rilling called the meeting to order at 7:00PM and let the Assembly in reciting the Pledge of Allegiance.

Ms. King read the notice stating that the meeting was being audio recorded and videotaped with subtitles for public broadcast. She asked everyone to speak clearly, one at a time, into the microphone and said that assisted listening devices were available.

I. ROLL CALL

Ms. King called the Roll. The Following Common Council members were present:

Council at Large:	Ms. Barbara Smyth	
District A:	Mr. Chris Yerinides	Ms. Eloisa Melendez (arrived 7:40 pm)
District B:	Ms. Darlene Young	
District C:	Mr. John Kydes	
District D:	Mr. Douglas Hempstead	
District E:	Mr. John Igneri	Mr. Thomas Livingston

At Roll Call there were seven (7) Common Council members present and three (8) eight absent (Ms. Siegelbaum, Mr. Dumas, Mr. Burnett, Mr. Holsten, Mr. Corsello, Ms. Melendez, Mr. Tsiranides and Mr. Sacchinelli). Ms. Melendez arrived at 7:40 pm.

Also present were Mayor Harry Rilling and City Clerk, Donna King.

Mayor Rilling said that there is not a quorum so at this meeting there will be no motions made or votes taken and it will be for informational purposes only.

2. PRESENTATION OF THE 2019-20 OPERATING BUDGET

Mayor Rilling gave his thanks and gratitude to Mr. Hamilton and Ms. Fogel for stepping up and crafting an excellent budget that serves both the needs of the city and fiscal restraints of the tax payers.

Mr. Hamilton said understating the situation the city found itself in with the sudden departure of the CFO and with his background from serving on the city side he was happy that he was able to step in and help the city craft a budget. He said to be clear he has not been appointed as the Acting city CFO and he is serving in a consulting capacity to the city finance staff, and the heavy lifting has been done by Ms. Fogel who has done an outstanding job and got a tremendous amount of work done over the last couple of weeks on both the operating and capital budgets. He said his role was to help out with the assumptions both on the revenue and expense side of the budget.

Ms. Fogel presented the fiscal year 2019-20 recommended operating budget and said built into the 2019-20 recommended budget are several significant changes over prior years that include a reorganization that has changed many departmental line items including new departments as well as staff transfers between departments. The highlighted changes include a newly created Chief of Staff function; creating an Economic and Community Development function; and moving Recreation and Parks to the Operations & Public Works. The revaluation has reduced mill rates and changed the distribution of the tax levy across property types and neighborhoods. In conformance with city fund balance policy, the recommended budget uses $6.0 million of fund balance to support strategic initiatives and onetime expenses.

Ms. Fogel discussed the fiscal year ending 2019 approved budget versus the fiscal the fiscal year ending 2020 recommended budget and said that the total expenditures are rising by 3.8% over fiscal year ending 2019 which is comprised of 3.0% for city expenditures, 4.2% for the Board of Education and 5.4% for debt service which is in line with the five year capital plan. The net tax revenues grow by 3.6% including a 50% increase in back tax collections from $2.0 million to $3.0 million, a 23.8% increase in supplemental autos from $2.1 million to $2.6 million and an increase in the collection rate from 98.2% to 98.6%.

Ms. Fogel said the expense variance is $13.6 million dollars and the drivers include education at $8.0 million dollars; debt service at $1.5 million dollars; economic and community development at $1.3 million dollars; police department at $1.0 million dollars; pension at $0.9 million dollars and the fire department at $0.6 million dollars. She said that there are offset savings of $337,305 from the reorganization for Economic and Community Development for salary transfers from Operations in Public Works to Economic and Community Development. Ms. Fogel said there is $75,000 for the business development staff and $125,000 for marketing and other expenses.

Ms. Fogel said for education it funds a base budget increase of 3.0%; funds a $2.3 million dollars of one-time Board of Education expenses from fund; recommended education expenditures increase of 4.2% over the fiscal year 2018-19 budget; the Board of Education anticipates they will implement a current year cost reduction carryover of up to 1% as permitted by state law and the final element of the plan includes $1.8 million of cut to the requested fiscal 2018-20 education budget.

Ms. Fogel said that the operating charges include and increase of $1.5 million dollars for debt service, an increase in health insurance expense offset by a decrease in OPEB contribution based on updated valuation and pension obligations are increasing by $0.9 million dollars based on ADEC provide by the City's actuarial service.

Ms. Fogel said that the non-tax revenue was impacted by a net decrease in intergovernmental revenue of $365,847; departmental receipts is decreasing by $262,223 which is primarily related to an expected reduction in park fee revenue from Parks and Recreation; miscellaneous revenue is falling by $697,374 related to a reduction in park fee revenue from Parks & Recreation; Miscellaneous revenue falling by $697,374 related to a reduction of $433,206 in debt service reimbursements from Oak Hills Park Authority and a $159,426 reduction in IRS tax subsidy and reductions are partially offset by a $500,000 increase in investment income due to favorable interest rate increases. She said that the decrease in departmental receipts for Parks and Recreation may seen confusing but they had brought their budget in line with actual. Mayor Rilling asked if the decrease is related to weather issues. Ms. Fogel said she is not sure of the detail on why the actual had such a large variance from the 2018/19 budget but she will get more information.

Ms. Fogel said that the transfer from fund balance includes non-tax revenue increasing by $2.3 million dollars primarily related to a $3.0 million dollar increase in the fund balance transfer. The fiscal year 2019-20 transfer from fund balance is consistent with the city's fund balance policy which allows use for tax relief. After the proposed fund transfer, the city will have a healthy fund balance that is 13.3% of forecasted revenue. This is appropriately within the policy range of 7.5% to 15% of revenue. Mr. Hempstead asked if there were any significant events or income that increased the fund balance significantly. Mr. Hamilton said that it is quite extraordinary that in 2014 the fund balance was $35 million dollars and now is at $60 million dollars in a four year period. He said that one of the things this budget does is propose taking the back tax number which had been budgeted at $2 million dollars up to $3 million dollars and increasing the supplemental auto from $2 million dollars to $2.6 million dollars. He said that both of those areas is where traditionally the city has employed very conservative budget assumptions and when the city had a $30 million dollar fund balance employing those conservative assumptions made sense but is not necessary with a fund balance where is now stands. Mr. Hempstead asked if there were any onetime large revenue items such as revenue from the mall. Mr. Hamilton said that he believes that the city had anticipated when the mall revenues were coming in and had built that into the budget but there may have been some out performance in building permit revenue.

Ms. Fogel presented the tax impact of the recommend fiscal year 2019/20 budget and said the recommended tax levy is increasing 3.3% and results in a tax bill decrease for four out of the six taxing districts. She said that 2018 reevaluation has resulted in a shift in the tax burden away from single family homeowners. She said that the highest decrease is in the Fifth Taxing District at 5.65%, the next highest decrease is in the Fourth Taxing District at 4.32%, and there is a slight increase for South Norwalk of just under 1% and a 5.81 % increase for the Third Taxing District. Mr. Igneri asked what percentage of the grand list are commercial properties. Mayor Rilling said he believes there is a 32% increase on the commercial properties and 16% for residential properties. Mr. Hamilton said that the city is still predominately residential properties and still makes up more that 50% of the grand list. Mr. Igneri requested the percentage of commercial properties that are on the grand list be sent to him.

Mr. Kydes said that it is obviously noticeable and asked why there is such a significant increase in the Third Taxing District. Mr. Hamilton said they may need to consult with the Tax Assessors office to do an analysis to see what is driving the number for East Norwalk but reevaluations are required by state law once every five years, and the reason why they are required is because property values do change at different rates in different places over time and it does vary on what those shifts might entail and depends on a variety of factors, and the data suggests that values have increased over the past five years more rapidly in East Norwalk than in other parts of Norwalk. He said that there is a process and if the taxpayer or property owner feels that their assessment is wrong and that they have been over assessed or their assessment is not consistent with like-properties, they have a right and should go to the Board of Assessment Appeals. Mr. Hamilton said that the deadline for filing a request for going to the Board of Assessment Appeals is Feb. 20, 2019 so it’s very soon. Mr. Rilling said a press release has been sent out regarding the appeal process and the information in also on the website.

Ms. Fogel concluded by saying this is a balanced plan of operations with the operating budget limited to a 3.8% increase, funds the strategic Board of Education initiatives in a cooperative fashion, and funds the recent city reorganization plan and critical city services and an affordable plan for Norwalk's single family home owners.

Mayor Rilling also thanked Dr. Adamowski for assisting with Mr. Hamilton and even though it was a very challenging time with the abrupt departure of the Finance Director they are in the process of preparing to interview applicants for the position. He said that Mr. Hamilton and Ms. Fogel have done a remarkable job on the budget, and it assists the Board of Education to move forward with their strategic plan and they have made significant strides in closing the achievement gap, and increasing the graduation requirements to 26 credits which will make our high school graduates much more competitive when applying for colleges. He said that he has encouraged the Board of Estimate and Taxation when they are reviewing the individual departments that they are fiscally responsible to ensure that if there is any increase in this budget that it is only for an absolute critical need.

Mr. Hempstead said when the Board of Education first presented their budget they discussed a significant increase this year and a lower increase's the following year and since the increases that they had asked for this year don't appear to be fully funded he asked if the request will go over to the next fiscal year. Mr. Hamilton said the Board of Education's much appreciates the Mayor's support and agreement and the cooperative proposal that was incorporated as part of this budget is something that the Board of Education strongly supports, and this is a budget compromise that does require some sacrifice on the Board of Education's part at a $1.8 million dollar reduction to the request, but it does find creative ways to fund the rest of the request and use $2.3 million dollars city's fund balance for a one time basis to cover items that have been identified in their budget as onetime expenses and helps to bridge the gap considerably. He said the other element of the plan allows the Board of Education to identify cost reductions and they are in the process of doing that and they will be freezing new hiring in order to generate a savings in the current year which can then be applied to next year. Mr. Hempstead asked if the $2.3 million dollars is part of what the operating budget will be next year. Mr. Hamilton said "yes" it would be part of the baseline budget but there are built in drivers to the Board of Education budget.

Mr. Hempstead said that the Chairman of the Finance Committee has been requesting information concerning the availability of reduction of chairs based on a construction schedule and he has still not received the information. Mr. Hamilton said that he had sent an email to the Chairman indicating that they have retained Malone and McBroom to update their long term enrollment projections and that project is underway and it entails a great deal of data gathering as well as a variety of statistical modeling to project the long term enrollment projections, and that they do not have the staff to do long term enrollment projections in house. He said that he believes the committee has already received reports from the construction management group which outlines the status of the projects, when they are expected to be completed and how many seats are generated from each of the construction projects.

ADJOURNMENT

**** MS. KYDES MOVED TO ADJOURN.**
**** THE MOTION PASSED UNANIMOUSLY.**

There was no further business and the meeting was unanimously adjourned at 7:50PM.

Respectfully submitted,

Dilene Byrd
Telesco Secretarial Services

ATTEST: ________________________________
Donna King, City Clerk

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.

Mayor Rilling called the meeting to order at 8:00PM and let the Assembly in reciting the Pledge of Allegiance.

Mayor Rilling asked that everyone remain standing and said that we have recently lost Mr. Dave Evans who was a World War II hero, and also the Commodore of the American Legion Post 12. He said that Mr. Dave Evans passed away last week at the age of 98 and that on the first Sunday of each month the American Legion honors a fallen veteran and Mr. Evans attended every single week that he could be there, and he remembers the struggles he had from walking from his car to his seat so he could be there for the ceremony however, when the National Anthem was played and the Pledge of Allegiance recited Mr. Evans stood up the entire time and held a hand salute because he is a proud veteran, patriot and hero. Mayor Rilling asked for a moment of silence to remember Mr. Evans.

Ms. King read the notice stating that the meeting was being audio recorded and videotaped with subtitles for public broadcast. She asked everyone to speak clearly, one at a time, into the microphone and said that assisted listening devices were available.

I. ROLL CALL

Ms. King called the Roll. The Following Common Council members were present:

Council at Large:	Mr. Gregory Burnett	
	Ms. Barbara Smyth	
District A:	Ms. Eloisa Melendez	Mr. Chris Yerinides
District B:	Mr. Ernest Dumas	Ms. Darlene Young
District C:	Mr. John Kydes	

District D: Mr. Douglas Hempstead

District E: Mr. John Igneri Mr. Thomas Livingston

At Roll Call there were ten (10) Common Council members present and five (5) absent (Ms. Siegelbaum, Mr. Tsiranides, Mr. Sacchinelli, Mr. Corsello and Mr. Hosten)

Also present were Mayor Harry Rilling; Corporation Counsel, Mario Coppola and City Clerk, Donna King.

II. ACCEPTANCE OF MINUTES

Regular Meeting: January 22, 2019

****MR. IGNERI MOVED TO ACCEPT THE MINUTES AS PRESENTED**
**** THE MOTION PASSED UNANIMOUSLY**

III. PUBLIC PARTICIPATION

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

Mr. Paul Cantor- Fillow Street

Mr. Cantor stated that this is the fourth time the loan has been restructured, and the deal has been made outside of the public eye with no input from the public. He said he had always had the hope of citizens in a democracy is that their elected officials will rise above the pressures placed on them by special interest groups in order to represent the interests of all of those that they have been elected to represent. But with respect to Oak Hills, we just do not see that happening. He said that there’s no guarantee the money will come in, due to decreasing demand for golf rounds and asked when is the Oak Hills Park Authority charade going to end.

Yvonne Lopaur- Fillow Street

Ms. Lopaur said that the public only learned about the restructuring of the Oak Hills Park loans through an article in The Hour newspaper and Nancy on Norwalk. She read the comments from Nancy on Norwalk opposing the restructuring of the loan and said that the Authority should be abolished. She also had emails for people in opposition of the restructuring of the loan who could not attend tonight’s meeting and handed them to Ms. King to be included in the record.

Diane Keefe- 249 Chestnut Hill Road

Ms. Keefe said she'd just read the news articles Wednesday morning, and had the same thoughts as Ms. Lopaur and Mr. Cantor. She said the park should be under the jurisdiction of the Recreation and Parks Department because they do effective manage Cranbury Park and brings in quite a bit of revenue to the city. She suggested that the park opened for four seasons of activity and not confine it to golf and tennis in just the summer. She also suggested a Request for Proposals be issued to attract new restaurateurs, and that she objects to the $83,000 being the reason why we have to make a decision on the restructuring now. She said that she thinks if the Authority needs a short-term loan to bail out this most recent expense, that's one thing but dealing with the $2 million-plus along with it, she completely objects to. She said she thinks the structure of having a no-interest loan is horrible and the incentives are not in the right direction for repayment. She said she does not think this is in the citizen's interest.

Mr. Coppola arrived at 8:15PM.

Morris Gross

Mr. Gross stated that the Norwalk Hospital acquired the property on West Avenue in 2013 and envisioned a major outpatient building because most of the outpatient services they currently have are either in the hospital which don't belong there, and most are situated on Stevens Street in the building that goes back to 1929, and they present themselves very poorly and doesn't serve the purpose of providing the best patient care for the patients. He said the hospital was very happy to enquire the YMCA property because it is so close to the hospital and is a real opportunity and would provide great benefits to the City of Norwalk and would generate tax revenue as well as provide approximately 300 jobs.

Christopher Smith

Mr. Smith stated that the plan for the property is the development of a 254,000 square foot wellness center which will include 154,000 square feet of medical office space, 74,000 square feet of senior housing and 17,000 square feet of retail space. He said the location is ideal for the hospital as it is going through this transformation and provide access to healthcare not only for the seniors that will be in the senior living component of the property but also the residents of Norwalk.

Richard Bonenfant- 17 Park Hill Avenue

Mr. Bonenfant stated he is generally not in favor of selling off city property and no price was listed on the agenda and he referred to the presentation that was given to the Land Use Committee on September 5, 2018, where it was stated that the development will be a community hub that will not only generate jobs for the city, but will also produce substantial real estate tax dollars through the fully taxable real property. He suggested that is received in writing because if it can't be guaranteed that the hospital will be paying full taxes and not turn it into a non-profit or ask for a locally sponsored tax break and suggested that it may be better to just lease them the property for $100,000 per year. He said the other thing he finds disturbing is that the property has a deed restriction and part of the agreement is that they are passing it through the city for over $200,000 to get out of a deed restriction and that is a scary thought.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS: There were no resignations this evening.

APPOINTMENTS:
Mary Ellen Barrelle, Board of Assessment Appeals, Regular
Megan Douglas, Board of Assessment Appeals, Regular
Elliott C. Morales, Board of Assessment Appeals, Regular
Donald Overton, Board of Assessment Appeals, Regular
Harriet Petrides, Board of Assessment Appeals, Regular
Steve Scatamacchia, Board of Assessment Appeals, Regular
Janet H. Woodward, Board of Assessment Appeals, Regular
Doris M. Ash, Board of Assessment Appeals, Alternate
Cindy Ellerman, Board of Assessment Appeals, Alternate
Judith G. Hyers, Board of Assessment Appeals, Alternate

****MR. IGNERI MOVED TO APPROVE THE REGULAR APPOINTMENTS.**
**** THE MOTION PASSED UNANIMOUSLY.**

**** MR. IGNERI MOVED TO APPROVE THE ALTERNATE APPOINTMENTS.**
**** THE MOTION PASSED UNANIMOUSLY.**

REAPPOINTMENTS: There were no reappointments this evening.

MAYORS REMARKS:

Mayor Rilling recognized February as Black History Month and read a proclamation for 2019 and asked for a round of applause for Black History Month

Mayor Rilling stated that the city is happy to partner with and there is free tax preparation help and filing available provided by volunteers for tax assistance through April 15, 2019 which is the last day to file taxes. He said the locations are Norwalk City Hall on Tuesdays from 1:30PM-8:00PM; The Norwalk Public Library on Thursdays from 1:00PM-8:00PM.; The Senior Center on Fridays by appointment and at The South Norwalk Library from 9:00am.-2:00PM. He said that there are some restrictions based on income levels and eligibility requirements are available on the city's website.

Mayor Rilling said that on Wednesday, February 20, 2019 at 5:30PM. there will be an informational meeting held regarding Wall Street parking will be held at the Yankee Doodle Garage. He said the city is proposing installing angled parking on the southbound of the street and will add approximately six parking places and will also install a meter which is something the merchants on Wall Street have been requesting for quite some time.

Mayor Rilling said Presidents Day is on Monday, February 18, 2019.

Mayor Rilling wished everyone a Happy Valentine's Day tomorrow.

Mr. Kydes said that February 20, 2019 is the deadline to file tax appeals.

V. COUNCIL PRESIDENT

1. Adoption of Common Council Rules.

   Mr. Livingston said that the amendment allows other members of the Common Council that are not appointed to a particular committee to participate in the committee meetings as ex-officio members of that committee. He said as such ex-officio members they shall not constitute a quorum or have the power to vote on matters presented to the committee but it allows Common Council members to be better informed by attending and asking questions at committee meetings.

   **** MR. LIVINGSTON MOVED THE ADOPTION OF THE COMMON COUNCIL RULES AS AMENDED.**
   **** THE MOTION PASSED UNANIMOUSLY.**

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

A. CORPORATION COUNSEL

1. APPROVE AUTHORIZATION TO SETTLE CLAIM:
Maria Rodriguez- Moran vs. Douglas Bamford and the City of Norwalk- Executive Session

B. CONSENT CALENDAR

** **LIVINGSTON MOVED THE FOLLOWING ITEMS TO THE CONSENT CALENDAR**

CORPORATION COUNSEL

6A1

HEALTH, WELFARE AND PUBLIC SAFETY

7A1
7A2A
7A2B
7A3

PUBLIC WORKS COMMITTEE
7B1
7B2
7B3
7B4
7B5
7B6

RECREATION, PARK AND CULTURAL AFFAIRS COMMITTEE

7C1
7C2

LAND USE AND BUILDING MANAGEMENT COMMITTEE

7D2
7D3
7D4
7D5
7D6
7D7

7D8A
7D8B
7D8C
7D9
7D10A
7D10B

**** THE MOTION PASSED UNANIMOUSLY.**

VII. COMMON COUNCIL COMMITTEES

A. HEALTH, WELFARE AND PUBLIC SAFETY COMMITTEE

1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL AGREEMENTS, DOCUMENTS, INSTRUMENTS, AND AMENDMENTS NECESSARY TO REQUEST AND ACCEPT GRANT FUNDS UNDER CONNECTICUT DEPARTMENT OF TRANSPORTATION 2019 DISTRACTED DRIVING HIGH VISIBILITY ENFORCEMENT GRANT IN THE AMOUNT OF $49,800.00

2A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO APPLY FOR AND ACCEPT GRAND FUNDS FROM THE STATE OF CONNECTICUT FOR THE PREVENTATIVE HEALTH BLOCK GRANT IN THE AMOUNT OF $22,673 FOR THE PERIOD OCTOBER 1, 2018 TO SEPTEMBER 30, 2019.

2B. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ALL AGREEMENTS, DOCUMENTS, INSTRUMENTS OR AMENDMENTS AS MAY BE NECESSARY TO IMPLEMENTS THE PREVENTATIVE HEALTH BLOCK GRANT FOR THE PERIOD OCTOBER 1, 2018 TO SEPTEMBER 30, 2019.

3. AUTHORIZE THE PURCHASING AGENT TO ISSUE A SOLE SOURCE PURCHASE ORDER TO SERAPHIN, A DIVISION OF PENBERTON FABRICATORS INC., FOR A FULLY ENCLOSED SERAPHIN LOW PROFILE SLIP ON TESTING TRAILER IN THE AMOUNT OF $30,541.00
ACCOUNT NO. 09 19 2012 5777 C0627

B. PUBLIC WORK COMMITTEE

1. AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE ANY AND ALL DOCUMENTS BETWEEN THE FEDERAL EMERGENCY MANAGEMENT AGENCY (“FEMA” AND THE NORWALK WATER POLLUTION CONTROL AUTHORITY (“WPCA”) IN CONNECTION WITH A FEMA GRANT APPLICATION TITLED “CITY OF NORWALK FIVE MILE RIVER PUMP STATION UPGRADE-PDM2018”. THIS GRANT IS FOR PROJECT COSTS OF 75% ($135,000.00) FEMA FUNDS AND 25% ($45,000) WPCA FUNDS.

2. AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE ANY AND ALL DOCUMENTS BETWEEN THE FEDERAL EMERGENCY MANAGEMENT AGENCY (“FEMA” AND THE NORWALK WATER POLLUTION CONTROL AUTHORITY (“WPCA”) IN CONNECTION WITH A FEMA GRANT APPLICATION TITLED “CITY OF NORWALK FIVE MILE RIVER PUMP STATION UPGRADE-FMA2018”. THIS GRANT IS FOR PROJECT COSTS OF 75% ($135,000.00) FEMA FUNDS AND 25% ($45,000) WPCA FUNDS.

3. AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE ANY AND ALL DOCUMENTS BETWEEN THE FEDERAL EMERGENCY MANAGEMENT AGENCY (“FEMA” AND THE NORWALK WATER POLLUTION CONTROL AUTHORITY (“WPCA”) IN CONNECTION WITH A FEMA GRANT APPLICATION TITLED “CITY OF NORWALK KEELER BROOK PUMP STATION UPGRADE-PDM2018”. THIS GRANT IS FOR PROJECT COSTS OF 75% ($2,250,000.00) FEMA FUNDS AND 25% ($750,000) WPCA FUNDS.

4. AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE ANY AND ALL DOCUMENTS BETWEEN THE FEDERAL EMERGENCY MANAGEMENT AGENCY (“FEMA” AND THE NORWALK WATER POLLUTION CONTROL AUTHORITY (“WPCA”) IN CONNECTION WITH A FEMA GRANT APPLICATION TITLED “CITY OF NORWALK KEELER BROOK PUMP STATION UPGRADE-FMA2018”. THIS GRANT IS FOR PROJECT COSTS OF 75% ($2,250,000.00) FEMA FUNDS AND 25% ($750,000) WPCA FUNDS.

5. APPROVE THE ABANDONMENT/DISCONTINUANCE OF A PORTION OF STEVENS STREET BEGINNING AT THE EASTERLY BOUNDARY OF THE CITY PROPERTY LOCATED AT 340 WEST AVENUE (TAX LOT 1-8-15-0) AND

HEADING WEST TO THE WESTERLY BOUNDARY OF THE CITY PROPERTY LOCATED AT 350 WEST AVENUE (TAX LOT 1-8-39-0) AS DEPICTED ON A MAP PREPARED BY RYAN AND FAULDS LAND SURVEYORS, A REDNISS & MEAD COMPANY ENTITLED “PROPERTY SURVEY ABANDONMENT MAP OF A PORTION OF STEVENS STREET, NORWALK, CONNECTICUT”, DATED OCTOBER 4,2018, AT A SCALE OF 1”=20’ ON FILE IN THE DEPARTMENT OF PUBLIC WORKS INDICATING SAID PORTION OF STEVENS STREET TO BE ABANDONED AND INCORPORATED INTO THE EXISTING CITY PROPERTIES LOCATED AT 340 WEST AVENUE AND 350 WEST AVENUE SUBJECT TO AN EASEMENT FOR THE EXISTING NORWALK RIVER VALLEY MULTI-PURPOSE TRAIL.

6. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL NECESSARY OR DESIRED DOCUMENTS IN CONNECTION WITH THE FINALIZATION OF THE DISCONTINUANCE AND RELEASE OF THE CITY’S INTERESTS IN THE DISCONTINUES ROADWAY, INCLUDING A GENERAL RELEASE TO RELEASE ANY INTERESTS THAT THE CITY MAY HAVE IN THE PROPERLY COMPRISING THE ABANDONED PORTION OF STEVENS STREET BEGINNING AT THE EASTERLY BOUNDARY OF THE CITY PROPERTY LOCATED AT 340 WEST AVENUE (TAX LOT 1-8-15-0) AND HEADING WEST TO THE WESTERLY BOUNDARY OF THE CITY PROPERTY LOCATED AT 350 WEST AVENUE (TAX LOT 1-8-39-0) AS DEPICTED ON A MAP PREPARED BY RYAN AND FAULDS LAND SURVEYORS, A REDNISS & MEAD COMPANY ENTITLED “PROPERTY SURVEY ABANDONMENT MAP OF A PORTION OF STEVENS STREET, NORWALK, CONNECTICUT”, DATED OCTOBER 4,2018, AT A SCALE OF 1”=20’ ON FILE IN THE DEPARTMENT OF PUBLIC WORKS INDICATING SAID PORTION OF STEVENS STREET TO BE ABANDONED AND INCORPORATED INTO THE EXISTING CITY PROPERTIES LOCATED AT 340 WEST AVENUE AND 350 WEST AVENUE SUBJECT TO AN EASEMENT FOR THE EXISTING NORWALK RIVER VALLEY MULTI-PURPOSE TRAIL.

C. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITEE

1. RESCIND THE COUNCIL APPROVAL OF JANUARY 22, 2019: AUTHORIZE THE MAYOR, HARRY W. RILLING TO ENTER INTO AN AGREEMENT WITH MBI, INC, FOR THE USE OF NORWALK HIGH SCHOOL FRONT LAWN AND PARKING AREA FOR THEIR NHS WINTER

GUARD/PERCUSSION HOME SHOW TO BE HELD SATURDAY, MARCH 23, 2019 FROM 8:00AM-9:00PM. ESTIMATED ATTENDANCE 2,500 STAGGERED.

2. APPROVE AS REVISED:
AUTHORIZE THE MAYOR, HARRY W. RILLING TO ENTER INTO AN AGREEMENT WITH MARCHING BEARS, INC. FOR THE USE OF THE NORWALK HIGH SCHOOL FRONT LAWN AND PARKING AREA FOR THEIR NHS WINTER GUARD/PERCUSSION HOME SHOW TO BE HELD SATURDAY, MARCH 23, 2019 FROM 8:00AM-9:00PM. ESTIMATED ATTENDANCE 2,500 STAGGERED

D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE DISPOSITION OF WEST AVENUE PARKING LOT (DISTRICT 1, BLOCK 8, LOT 15&39-340 AND 350 WEST AVENUE) TO NORWALK HOSPITAL ASSOCIATION WHICH MAY INCLUDE, BUT NOT LIMITED TO, RELATED LEASES AND EASEMENTS. TERMS AND CONDITIONS SHALL BE AS OUTLINED IN ALAN LO'S MEMO DATED DECEMBER 5, 2018.

Mr. Livingston said that the Norwalk Hospital was the only organization that had responded to the RFP, and they are offering the appraised value for the parking lot which is $950,000. He said of that money the city will pay $176,000 to the state to release the deed restriction. He said that an arrangement was worked out with the Norwalk Hospital which is set forth in the memo in which he read into the record. He said the hospital shall obtain a US Department of Interior level three historical report, and in addition to that the interior of the new development the hospital shall incorporate a photo gallery explaining the architectural elements with historical value of West Avenue. He said in regards to parking the hospital has agreed to a execute as mutually agreed upon lease agreement with the City of Norwalk for the continued use of the parking lot for Mathews Park special and overflow parking prior to the start of construction, and upon completion have agreed to execute a 99 year lease agreement for 50 parking spaces within the parking structure for Matthews Park special event overflow parking. He said that the Norwalk Hospital has been very accommodating to the needs of the city.

**** MR. LIVINGSTON MOVED TO APPROVE THE ITEM.**
**** THE MOTION PASSED UNANIMOUSLY.**

2. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A LICENSE AGREEMENT WITH BLUE TEAPOT LLC TO PROVIDE CAFÉ' SERVICES AT THE BELDEN MAIN LIBRARY FOR ONE YEAR WITH A ONE-YEAR

EXTENSION OPTION. TERMS FOR THE AGREEMENT SHALL BE AS OUTLINED IN CHRISTINE BRADLEY'S MEMO DATED JANUARY 18, 2019.

3. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AMENDMENT TO THE ADMINISTRATIVE SETTLEMENT AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE CITY OF NORWALK FOR THE MARITIME AQUARIUM AT NORWALK FUNCTIONAL REPLACEMENT PROJECT IN ORDER FOR THE STATE TO PROVIDE FUNDING DIRECTLY TO THE CITY AND THE CITY TO HAVE FULL RESPONSIBILITY IN THE MANAGEMENT OF THE FUNDS AND PROJECT RELATED CONTRACTS NECESSARY TO IMPLEMENT THE PROJECT.

4. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO AMEND THE FINANCE AGREEMENT WITH MARITIME AQUARIUM AT NORWALK DATED AUGUST 20, 2018 FOR FUNCTIONAL REPLACEMENT PROJECT IN ORDER FOR TH CITY TO RECEIVE THE STATE'S FUNCTIONAL REPLACEMENT FUNDS DIRECTLY AND HAVE FULL PROJECT MANAGEMENT RESPONSIBILITIES NECESSARY TO IMPLEMENT THE PROJECT.

5. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AMENDMENT TO AMENDED AND RESTATED LEASE AGREEMENT WITH THE MARITIME AQUARIUM WITH THE MARITIME AQUARIUM AT NORWALK IN ORDER TO TERMINATE AMENDMENT #1 AND TO INCORPORATE NEW TERMS FOR THE CITY TO RECEIVE THE STATE'S FUNCTIONAL REPLACEMENT FUNDS DIRECTLY AND TO HAVE FULL PROJECT MANAGEMENT RESPONSIBILITIES NECESSARY TO IMPLEMENT THE PROJECT.

6. AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE AN AGREEMENT WITH BEYER BLINDER BELLE ARCHITECTS AND PLANNERS LLP FOR THE MARITIME AQUARIUM AT NORWALK FUNCTIONAL REPLACEMENT PROJECT TO PROVIDE SCHEMATIC REDESIGN SERVICES AND ALLOWANCE FOR DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES FOR A TOTAL NO TO EXCEED $225,000.00. FUNDS AVAILABLE FROM THE STATE'S MARITIME AQUARIUM FUNCTIONAL REPLACEMENT GRANT.

7. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A CONTRACT WITH A.P. CONSTRUCTION/ O&G INDUSTRIES AS A JOINT VENTURE FOR THE MARITIME AQUARIUM AT NORWALK FUNCTIONAL REPLACEMENT PROJECT. TERMS OF THE AGREEMENT SHALL INCLUDE THE FOLLOWING:

- PRECONSTRUCTION SERVICES FEE- $118,760
- CM FEE- 2.45%
- CM CONTINGENCY- 3.00%

FUNDS AVAILABLE FROM THE STATE'S MARITIME AQUARIUM FUNCTIONAL REPLACEMENT GRANT.

8A. RESCIND COMMON COUNCIL ACTION OF AUGUST 14, 2018 ITEM VII.D.2 WHICH AUTHORIZED THE FOLLOWING: "AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH STRATEGIC BUILDING SOLUTIONS, LLC D/B/A COLIERS INTERNATIONAL TO PROVIDE COMMISSIONING SERVICES FOR THE PONUS RIDGE SCHOOL ADDITIONS AND RENOVATIONS PROJECT FOR A TOTAL NOT TO EXCEED OF $80,350.
ACCOUNT #09185010-5777-C0608

8B. AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE AN AGREEMENT WITH HORIZON ENGINEERING ASSOCIATES LLP TO PROVIDE BUILDING MECHANICAL EQUIPMENT COMMISSIONING SERVICES FOR THE PONUS RIDGE SCHOOL ADDITIONS AND RENOVATIONS PROJECT FOR A TOTAL NOT TO EXCEED $76,800
ACCOUNT #09185010-5777-CO608

8C. AUTHORIZE THE NFCC TO ISSUE CHANGE ORDERS ON CONTRACT FOR A TOTAL NOT TO EXCEED $7,680.

9. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL DOCUMENTS WITH EVERSOURCE FOR THE INSTALLATION OF A NEW GAS SERVICE TO PONUS RIDGE SCHOOL FOR A TOTAL NOT TO EXCEED $30,000
ACCOUNT# 09185010-5777-C0608.

10A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH ALL STATE CONSTRUCTION INC. FOR THE INSTALLATION OF NEW FRESH AIR INTAKE EQUIPMENT AT DPW GARAGE ADMINISTRATION OFFICES FOR A TOTAL NOT TO EXCEED $31,971.00.
ACCOUNTS 09197100-5777-C0119

10B. AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO ISSUE CHANGE ORDERS ON CONTRACT FOR A TOTAL NOT TO EXCEED $3,200.00.

E. FINANCE COMMITTEE

1. RESOLUTION: AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL AGREEMENTS, DOCUMENTS AND INSTRUMENTS NECESSARY FOR THE CITY OF NORWALK TO MAKE A SPECIAL CAPITAL APPROPRIATION TO OAK HILLS PARK AUTHORITY IN THE AMOUNT OF $83,000.00.

1. RESOLUTION: AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL AGREEMENTS, DOCUMENTS AND INSTRUMENTS NECESSARY FOR THE CITY OF NORWALK TO MAKE A SPECIAL APPROPRIATION TOTALING $83,000 TO INCREASE THE AVAILABLE FUNDS IN THE OAK HILLS CITY ACCOUNT 01-61-10-5258 FOR THE TRANSFER FROM THE CONTINGENCY ACCOUNT 01- 96-00-5900

** **MR. BURNETT MOVED TO APPROVE TO AMEND RESOLUTION #1.**
**** THE MOTION PASSED UNANIMOUSLY.**

**** MR. BURNETT MOVED TO APPROVE RESOLUTION #1 AS AMENDED.**
**** THE MOTION PASSED WITH (9) NINE IN FAVOR AND (1) ONE ABSTENTION (MS. YOUNG)**

2. RESOLUTION: AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL AGREEMENTS, DOCUMENTS AND INSTRUMENTS NECESSARY FOR THE CITY OF NORWALK TO RESTRUCTURE ALL CITY LOANS TO OAK HILLS PARK AUTHORITY'S ("OHPA"). RESTRUCTURE TERMS: 0.00% INTEREST RATE, RETROACTIVE TO FISCAL YEAR 2017; MONTHLY PAYMENTS COMMENCING JULY 1, 2020; MONTHLY LOAN PAYMENTS EQUAL TO $2.00 MULTIPLIED BY THE AGGREGATE NUMBER OF ALL 9 AND 18 ROUNDS OF GOLF PURCHASED PER MONTH IN THE FIRST FISCAL YEAR, INCREASING BY $0.05 EVERY FISCAL YEAR THEREAFTER, PLUS AN ANNUAL PAYMENT OF 1% AUDITED GROSS GOLF REVENUE. OHPA SHALL NOT BE OBLIGATED TO BORROW ON ITS LINE OF CREDIT TO TAKE THE 1% AUDITED GROSS GOLF REVENUE PAYMENT.

Mr. Hempstead said the city did run Oak Hills Park at some point and had put all the capital improvements into it and there were operating subsidies each year because it never made enough money to fund itself and that it why the Oak Hills Authority was put into place. He said the issue is that at some point they had decided to have a building built and they never got revenue from it to pay for the debt service on the bond for the building. He said this will give them an opportunity for them to pay that back and also gives them an opportunity to adjust their budgets when golf rounds are down.

Mr. Livingston clarified the city is not forgiving the loan and only the interest and tried to create a nepotism that permits the authority to make realistic payments and he thinks the proposal should be supported.

Mr. Burnett said the Oak Hills Park in one of the great attractions in the City of Norwalk and these resolutions will assistance Oak Hills to continue to maintain one of the top public golf courses in the area, while developing a financial level of stability necessary to manage the facility. He said this is a forward step in the right direction to maintain and enhance one or Norwalk's key venues and he hopes that all three resolutions are supported.

Mayor Rilling said that if the city were to take over Oak Hills Park they would have to hire staff to maintain along with benefits etc. which is now fall under the responsibility of the authority. He also said it is also their intention to be sure draw in the correct food vendor. He thanked the leadership of the Common Council, Mr. Burnett and the Oak Hills Authority for working so diligently to make this happen and to have the loan paid.

**** MR. BURNETT MOVED TO APPROVE RESOLUTION #2.**
**** THE MOTION PASSED UNANIMOUSLY.**

<u>3. RESOLUTION: AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL AGREEMENTS, DOCUMENTS AND INSTRUMENTS NECESSARY FOR THE CITY OF NORWALK TO AMEND THE TERMS OF ITS LEASE WITH OAK HILLS PARK AUTHORITY'S ("OHPA") FOR OAK HILLS PARK. PRINCIPAL TERMS: EXTENDING THE LEASE TERM FOR 30 YEARS THROUGH 2049; MODIFICATION OF OPHA'S DEFAULT TERMS WHEREBY A DEFAULT UNDER THE RESTRUCTURED LOAN WITH THE CITY OF NORWALK IS A DEFAULT UNDER THE LEASE; REMOVAL OF THE LEASE TERM PROHIBITING A RESTAURANT BAR; STARTING IN FISCAL YEAR 2021, 50% OF NET RENTAL PAYMENTS FROM FOOD SERVICES VENDOR TO BE SET UP TO A REASONABLE CAP TO BE NEGOTIATED TO BE SET ASIDE IN A FUND FOR CAPITAL IMPROVEMENTS TO THE RESTAURANT BUILDING; SELECTION PROCESS FOR RETAINING FOOD SERVICES VENDOR AND TERMS OF ANY LEASE OFFERED TO SAID VENDOR SHALL BE SUBJECT TO COMMON COUNCIL APPROVAL.</u>

** **MR. BURNETT MOVED TO APPROVE TO AMEND RESOLUTION #3.**

**** THE MOTION PASSED UNANIMOUSLY.**

**** MR. BURNETT MOVED TO APPROVE RESOLUTION #3 AS AMENDED.**
**** THE MOTION PASSED WITH UNANIMOUSLY.**

VIII. RESOLUTIONS FROM COMMON COUNCIL

There were none this evening.

IX, MOTIONS POSTPONED TO A SPECIFIC DATE

There were none this evening.

X. SUSPENSION OF RULES

There were none this evening.

XI. ADJOURNMENT

**** MS. MELENDEZ MOVED TO ADJOURN.**
**** THE MOTION PASSED UNANIMOUSLY.**

There was no further business and the meeting was unanimously adjourned at 9:05PM.

Respectfully submitted,

Dilene Byrd
Telesco Secretarial Services

ATTEST: ___________________________________
Donna King, City Clerk