

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 7:37 p.m. and led the Assembly in reciting the Pledge of Allegiance.

Ms. King, City Clerk read the notice stating that the meeting was being videotaped and audio recorded for the public broadcast and 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. Richard Bonenfant Mr. Bruce Kimmel	Mr. Michael Corsello Mr. Nicholas Sacchinelli
District A:	Ms. Eloisa Melendez	Mr. Steve Serasis
District B:	Ms. Faye Bowman	Mr. Travis Simms
District C:	Mr. John Kydes	Ms. Michelle Maggio
District D:	Ms. Shannon O'Toole Giandurco	
District E:	Mr. John Igneri	Mr. Thomas Livingston

At Roll Call, there were thirteen Common Council member present and two (2) absent (Mr. Hempstead and Mr. DePalma).

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

II. ACCEPTANCE OF MINUTES

Regular Meeting April 11, 2017

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

III. PUBLIC PARTICIPATION

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

Ms. Brenda Penn Williams said that 20 years ago, the City forced people and businesses out through eminent domain for nothing. Affordable housing was promised and now GGP is offering the City money to amend the LDA. She said that the City is being bought by developers and it has to stop. She asked that GGP keep their promise under Article 21.

Reverend Ray Dancy, representing the Macedonia church spoke in support of the amendment to the LDA because the project will bring jobs and a Class A footprint to Norwalk. Eliminating the hotel is disappointing, but GGP determined that a hotel on that site would not work. The funds they will pay to the City will become part of a newly formed community development fund. He said that they will not be able to open in 2019 if the agreement is not approved and that would be a disservice to the community.

Ms. Marge Costa spoke in support of GGP and said they have been very diligent in addressing concerns. She said that it would be good to go ahead with this project.

Reverend Lindsay Curtis, representing Grace Baptist Church spoke in favor of the mall. He said that it will be good for the City. Article 21 of the LDA is an important part of the whole contract and there is an opportunity to lift all boats; it allows an opportunity for the disadvantaged to engage in prosperity. He asked the Common Council to stay on top of this so those who can participate, can participate.

Ms. Diane Lauricella asked everyone to remember that she tried to assist, seek due diligence, study and ask questions. She spoke about the appointment of Mr. Blank to the Redevelopment Agency. She said that he was appointed to the Zoning Commission during a time that was not easy. He tried to make sure they had a new director, but also witnessed things that gave her pause. She said that she was concerned that for four years, there was an opportunity to change the Zoning at the BJ Wholesale site. She said she looked at his voting record on enforcement. She said that she hoped that after Mr. Blank's confirmation that he handle his duties in a transparent way.

Ms. Lauricella spoke against the Planning Commission item, C1 and asked that the Common Council spend two more weeks and go back to GGP to reason with them. She said that there are other viable uses, such as a YMCA or incubator space.

Ms. Shatiqua Flemming spoke in support of the mall because it will create jobs and bring in a lot of money to Norwalk. She said she would rather spend her money in Norwalk.

Ms. Winnie Mola said that she has been a real estate broker for 43 years. She said that over 25 years ago, she came before the Common Council to speak in favor of developing this property. She said that she is excited that GGP selected Norwalk to create the SoNo collection; the hotel was a nice addition, but with the present economy it is now a viable option. It has taken over 25 years to develop the property and now the City is on the brink of making a profit on the site. She asked the Common Council to support it even without the hotel. The SoNo collection will bring jobs to the community and increase property values.

Ms. Diane Cece said that she sent an e-mail to all of the members of the Common Council explaining her reasons to vote no on the agreement the GGP. She read two quotes from Mayor Rilling in support of the mall and from Mayor Rilling when he was a candidate for Mayor in opposition to the mall.

Ms. Patsy Brescia said that she was an early supporter of the mall. She said she ran for Mayor in 1975 and a major issue was what to do with the Reed - Putnam site. She said that she views this mall as an opportunity to connect South Norwalk and bring vitality to the center of town. She noted that she is a licensed real estate broker. Ms. Brescia said that each time something almost happened on the site, the market changed. She said that to jeopardize an investment that is going to make money does not make sense. She said that when she looks back and nothing was done with the property, the loss of jobs and tax revenue could have paid for schools.

Mr. Clay Fowler, said that his involvement with the site goes back 10 years. He said that as far as the hotel, it is unfeasible. Regarding GGP's request to modify the definition of a high-end retailer is second guessing them. He suggested supporting them by approving their request for modification.

Ms. Anne Hoeler, said she wants to be sure the mall is safe. She noted that several malls have Police Stations.

Ms. Melody Sweet said she supports GGP and that low paying jobs beats no paying jobs. She said her uncles lived on Putnam Avenue when she was a child. She said that the site looks awful for Norwalk and does not understand why anyone would say no to bringing jobs to Norwalk.

Mr. Bill Finger said that 25 years ago, he went before the Common Council and has seen a lot of history pass. He said that he is in support of the amendments with GGP. He said it is important that something built on that site is feasible. He said that among the many benefits, is the substantial spillover of spending in the area. He said that this is a unique opportunity to place SoNo in the consciousness in the minds of the rest of Fairfield County.

Mr. Bob Welch said that the Common Council has a big decision to make. He said he met with the GGP representatives and they were forthcoming with their numbers. He said the Common Council deserves to get advice from an independent real estate consultant. As it stands, it appears the developer is going to gain \$2 million a year. He agrees with all of the people who spoke about the benefits of the mall, but he added that he supports a balance. He said he hopes the City engages an independent real estate consultant.

Ms. Jennie Hue asked if the \$3.5 million payment will remain in the Reed-Putnam district. She said that she would like the Common Council to continue to fully realize access to the waterfront. She asked about circulation and asked who will be running it and what it he cost. She asked the Common Council to consider why GGP is asking for a revision to the language and asked that if a non-retail class establishment is becoming part of the mall that it be reviewed and approved by Zoning.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS:

No resignations were announced this evening.

APPOINTMENTS:

Adam J. Blank, Redevelopment Agency

Mayor Rilling announced that Mr. Bland withdrew his name.

REAPPOINTMENTS:

No reappointments were announced this evening.

MAYOR'S REMARKS:

Mayor Rilling thanked the participants of the City wide cleanup last week. He said there were 125 volunteers and it was gratifying to see so many people come out. He thanked the Public Works crew for their hard work and said they were unheralded heroes. He mentioned the Bulky Collection Schedule and Yard Waste Collection for spring of 2017. He also stated that Norwalk will celebrate National Small Business Week in conjunction with representatives from the Small Business Association.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS:

RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS: There were no resignations announced this evening.

APPOINTMENTS: There were no appointments announced this evening.

REAPPOINTMENTS: There were no reappointments announced this evening.

B. CONSENT CALENDAR:

**** MS. BOWMAN MOVED THE FOLLOWING CONSENT CALENDAR:**

BOARD OF ESTIMATE AND TAXATION

VI.B.1

RECREATION, PARKS AND CULTURAL AFFAIRS

VII.A.1, VII.A.3, VII.A.4, VII.A.5A, VII.A.5B, VII.A.7, VII.A.8,

FINANCE COMMITTEE

VII.B.1, VII.B.2, VII.B.3, VII.B.4

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

B. BOARD OF ESTIMATE AND TAXATION

- 1. RESOLVED, THAT A SUM NOT TO EXCEED \$40,000 BE AND THE SAME IS HEREBY TRANSFERRED FROM CONTINGENCY TO THE CORPORATION COUNCIL DEPARTMENT TO COVER THE COSTS OF ONGOING EXPENSES PERTAINING TO TAX APPEALS AND THE WALK BRIDGE PROJECT. (ACCOUNT NO. 01-03-00-5258).**

VII. COMMON COUNCIL COMMITTEES

A. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

- 1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH NORWALK LACROSSE ASSOCIATION INC. FOR THE USE OF VETERANS PARK FOR A LACROSSE JAMBOREE “POUND ON THE SOUND” TO BE HELD SATURDAY, JUNE 10, 2017 AND SUNDAY, JUNE 11, 2017 FROM 8:00 AM – 6:30 PM EACH DAY. SET UP TO TAKE PLACE FRIDAY, JUNE 9, 2017 AT 3:00 PM WITH TEAR DOWN NO LATER THAN 8:30 PM ON SUNDAY, JUNE 11, 2017. ESTIMATED ATTENDANCE 2,500+.**

- 3. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH NATIONAL MARINE MANUFACTURERS ASSOCIATION TO USE TAYLOR FARM, CALF PASTURE BEACH, SHADY BEACH, AND MARVIN SCHOOL FOR PARKING DURING THE BOAT SHOW TO BE HELD THURSDAY, SEPTEMBER 21, 2017 THROUGH SUNDAY, SEPTEMBER 24, 2017.**

- 4. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH ROOM TO GROW TO USE OYSTER SHELL PARK FOR AN OBSTACLE COURSE/FUN RUN TO BE HELD SUNDAY, OCTOBER 1, 2017 FROM 9:00 AM – 7:00 PM. SET UP TO TAKE PLACE ON SUNDAY, OCTOBER 1, 2017 AT 7:00 AM WITH TEAR DOWN NO LATER THAN 7:00 PM ON SUNDAY, OCTOBER 1, 2017. ESTIMATED ATTENDANCE 100+.**

- 5A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH THE LUPUS FOUNDATION OF AMERICA TO USE CALF PASTURE BEACH FOR A “WALK TO END LUPUS NOW CONNECTICUT” TO BE HELD SUNDAY, OCTOBER 15, 2017 FROM 3:00 PM – 7:00 PM. SET UP TO TAKE PLACE AT 11:00 AM ON SUNDAY, OCTOBER 15, 2017 WITH TEAR DOWN NO LATER THAN 8:00 PM ON SUNDAY, OCTOBER 15, 2017. ESTIMATED ATTENDANCE 500+.**

- 5B. APPROVE THE USE OF THE SHOW MOBILE BY THE LUPUS FOUNDATION OF AMERICA FOR USE AT VETERANS PARK FOR THEIR “WALK TO END LUPUS NOW CONNECTICUT” ON SUNDAY, OCTOBER 1, 2017.**

7. **AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH THE MARCHING BAND INC. (M.B.I.) TO USE THE ANDREW'S FIELD PARKING LOT FOR A CARNIVAL TO BE HELD THURSDAY, JUNE 15, 2017 FROM 6:15 PM – 10:00 PM, FRIDAY, JUNE 16, 2017 FROM 6:00 PM – 10:00 PM, SATURDAY, JUNE 17, 2017 FROM 6:00 PM – 10:00 PM AND SATURDAY, JUNE 17, 2017 FROM 3:00 PM – 10:00 PM. SET UP TO TAKE PLACE MONDAY, JUNE 11, 2017 AT 8:00 AM WITH TEAR DOWN NO LATER THAN 12:00 NOON SUNDAY, JUNE 18, 2017. ESTIMATED ATTENDANCE 500+.**
8. **AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH THE ROWAYTON SCHOOL PTA TO USE ROWAYTON SCHOOL FIELD AND GROUNDS FOR THEIR SCHOOL CARNIVAL TO BE HELD FRIDAY, MAY 12, 2017 FROM 10:00 AM – 5:00 PM AND SATURDAY, MAY 13, 2017 FROM 5:00 PM – 10:00 PM. SET UP TO TAKE PLACE THURSDAY, MAY 11, 2017 AT 10:00 AM WITH TEAR DOWN NO LATER THAN 6:00 PM NOON ON SUNDAY, MAY 14, 2017. ESTIMATED ATTENDANCE 500+.**

A. FINANCE COMMITTEE

1. **ACCEPT AND APPROVE THE REPORT OF THE CLAIMS COMMITTEE DATED: APRIL 13, 2017.**
2. **FOR INFORMATIONAL PURPOSES ONLY: NARRATIVE ON TAX COLLECTIONS DATED APRIL 13, 2017.**
3. **FOR INFORMATIONAL PURPOSES ONLY: MONTHLY TAX COLLECTOR'S REPORT DATED: MARCH 31, 2017.**
4. **AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH THOMSON REUTERS WESTLAW FOR SUBSCRIPTION SERVICES RELATED TO LEGAL RESEARCH FOR A SUM NOT TO EXCEED \$78,446.00. ACCOUNT NO: 010300-5234.**

**** MOTION PASSED UNANIMOUSLY**

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

VII. COMMON COUNCIL COMMITTEES

B. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

Due to a potential conflict of interest, Mr. Bonenfant recused himself and left the Common Council Chambers.

**** MR. SIMMS MOVED THE FOLLOWING ITEMS:**

2A. AUTHORIZE THE MAYOR, HARRY W. RILLING TO ENTER INTO AN AGREEMENT WITH THE NORWALK SEAPORT ASSOCIATION TO USE VETERANS PARK FOR THE ANNUAL OYSTER FESTIVAL TO BE HELD FRIDAY, SEPTEMBER 8, 2017 FROM 6:00 PM – 11:00 PM, SATURDAY, SEPTEMBER 9, 2017 FROM 11:00 AM – 11:00 PM, SUNDAY, SEPTEMBER 10, 2017 FROM 11:00 AM – 8:00 PM. SET UP TO BEGIN FRIDAY, AUGUST 25, 2017 WITH TEAR DOWN NO LATER THAN SATURDAY, SEPTEMBER 30, 2017.

ESTIMATED ATTENDANCE 30,000.

PROPOSED ADMISSION PRICE:

GENERAL ADMISSION - \$12.00

SENIOR (65+) - \$10.00

CHILDREN (5-12) - \$5.00

CHILDREN (UNDER 5) – FREE

ADVANCED TICKETS – ADULTS - \$10.00

2B. APPROVE THE USE OF THE SHOW MOBILE BY THE NORWALK SEAPORT ASSOCIATION FOR USE AT VETERANS PARK DURING THE NORWALK OYSTER FESTIVAL FROM FRIDAY, SEPTEMBER 8, 2017 THROUGH SUNDAY, SEPTEMBER 10, 2017.

**** MOTION PASSED UNANIMOUSLY**

Mr. Bonenfant returned to the Common Council Chambers.

**** MR. SIMMS MOVED TO AMEND THE FOLLOWING ITEM TO CORRECT THE BUSINESS NAME FROM JTL INDUSTRIES TO TJL INDUSTRIES**

5. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO A CONTRACT WITH JTL INDUSTRIES, LLC (DBA DALTON TRACK & TENNIS) FOR PROJECT #3740 TENNIS AND BASKETBALL COURT – CRACK REPAIR, COLOR COATING & STRIPING FOR A SUM NOT TO EXCEED \$93,996.00. ACCOUNT #'S 09176030-5777-C0321, 09186030-5777-C0321.

**** MOTION PASSED UNANIMOUSLY**

**** MR. SIMMS MOVED TO APPROVE THE FOLLOWING ITEM AS AMENDED**

- 5. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO A CONTRACT WITH TJL INDUSTRIES, LLC (DBA DALTON TRACK & TENNIS) FOR PROJECT #3740 TENNIS AND BASKETBALL COURT – CRACK REPAIR, COLOR COATING & STRIPING FOR A SUM NOT TO EXCEED \$93,996.00. ACCOUNT #'S 09176030-5777-C0321, 09186030-5777-C0321.**

**** MOTION PASSED UNANIMOUSLY**

PLANNING COMMITTEE

**** MR. KYDES MOVED THE FOLLOWING ITEM:**

- 1. APPROVE CITY AND REDEVELOPMENT AGENCY STAFF TO MODIFY THE REED PUTNAM URBAN RENEWAL PLAN AND AMENDMENT #4 OF THE LAND DISPOSITION AGREEMENT AS REQUESTED BY NORWALK LAND DEVELOPMENT LLC (GGP) AND TO UNDERTAKE ALL ACTIONS REQUIRED TO PREPARE THE RESPECTIVE DOCUMENTS FOR COMMON COUNCIL FINAL APPROVAL**

Mr. Kydes explained that this is not the final agreement, but allows the staff to begin the process. He asked the Common Council to move this item forward and come to an agreement that is agreeable to both parties.

Mr. Timothy Sheehan provided clarity of what the Common Council was voting on this evening. Two things need to happen; the modification to the LDA and to the Urban Renewal Plan. When they are modified, they will be forwarded to the Planning Commission for their consideration and then they would advise the Common Council. Mr. Sheehan said that this action begins the process to allow the modifications.

Ms. Maggio asked if it is true there is a set 60 days. Mr. Sheehan said he believes the City is going to try to keep to the timeline. He added that there are no final approvals this evening. If the various boards and commissions need more time, then that is what they require. Mr. Igneri said that process started tonight, will include public hearings on both the Urban Renewal Plan and the LDA. Mr. Kydes added that the Planning Committee will also hold a public hearing.

Mr. Simms said that he has been a huge supporter of the mall, but is disturbed by their request to change the LDA. He said that he would like to see something added like housing, or leave the hotel in the plan.

Mr. Bonenfant said that he appreciated Mr. Kydes' statement that the Planning Committee would hold a public hearing. He said that people are implying that this has been going on for years and years. He noted that the City met its end of the bargain; it was the developers that held it up.

Ms. O'Toole Giandurco said that she is in favor of the project, but her concerns have been alleviated by hearing that public hearings will be held. She said that the 60 day turn around can be tough and asked how the \$3.5 million will be spent. She said that the change in retailer is not a minor change and asked to have the motion broken down in a few pieces.

Mr. William Hennessy said that this is the last piece of the property in Reed-Putnam to be developed. The driving urgency is that the two anchors have a commitment to be in position to occupy the space in October 2019. Public hearings will be held on this. In addition to the ones by the Planning Committee and the Redevelopment Agency, the Zoning Commission will hold a public hearing.

Mr. Hennessy explained that the hotel is not feasible for this project. He said they are here because they need to amend the LDA and Urban Renewal Plan. The LDA now requires a mixed-use area. He said they are not looking for a final vote; they are looking for approval to move forward. The rationale is in the meeting back up packet.

Mr. Hennessy said they also added language to do with the anchors of high quality for 15 years. He said that the mall is being built to be a part of this community for decades and decades. They have a signed lease with Bloomingdales and Nordstrom's and have operating agreements that go past the 10-year agreement. In the future, they would have to substitute the anchor, but they always want to have a class A mall.

Mr. Livingston said the understood the need for flexibility in the future, but wants to ensure that it is a high-quality tenant. He suggested examining the language more closely. Mr. Hennessy said that he believes this is the perfect spot in America to build this facility. He said that in the future if they have to substitute an anchor, there is still the Zoning process and the Common Council, under the LDA, will have the right to dispute that.

Mr. Doug Adams said that they are asking for two modifications. They are important for them to move forward, because they are running out of time. He said they do not develop hotels, and would have to bring in partners who would own the hotel. He said they can't take the drag for a non-core asset and bury it in their asset.

Mr. Adams said the site is extremely tight and there are very few places to put a hotel. It would have to be a high rise that would be competing with other hotels built on grade. Mr. Serasis asked about the length of time a hotel would be operated at a loss. Mr. Adams said it would be almost infinite; they are looking at well over a decade.

Ms. O' Toole Giandurco said they have to do right by the citizens and asked that a public hearing be part of the process.

**** MS. O'TOOLE GIANDURCO MOVED THE FOLLOWING AMENDMENT:**

- 1. APPROVE CITY AND REDEVELOPMENT AGENCY STAFF OPEN NEGOTIATIONS WITH NORWALK LAND DEVELOPMENT AND REVISIT THE DEFINITION OF AN ANCHOR OF HIGH QUALITY AND TO MODIFY THE REED PUTNAM URBAN RENEWAL PLAN AND AMENDMENT #4 OF THE LAND DISPOSITION AGREEMENT AS REQUESTED BY NORWALK LAND DEVELOPMENT LLC (GGP) AND TO UNDERTAKE ALL ACTIONS REQUIRED, INCLUDING HOLDING AT LEAST TWO PUBLIC HEARINGS, TO PREPARE THE RESPECTIVE DOCUMENTS FOR COMMON COUNCIL FINAL APPROVAL**

A brief discussion took place.

Ms. O' Toole Giandurco withdrew her motion.

**** MR. IGNERI MOVED THE FOLLOWING AMENDMENT**

APPROVE CITY AND REDEVELOPMENT AGENCY STAFF TO MODIFY THE REED PUTNAM URBAN RENEWAL PLAN AND AMENDMENT #4 OF THE LAND DISPOSITION AGREEMENT AS REQUESTED BY NORWALK LAND DEVELOPMENT LLC (GGP) AND TO UNDERTAKE ALL ACTIONS REQUIRED, INCLUDING AT LEAST TWO PUBLIC HEARINGS, TO PREPARE THE RESPECTIVE DOCUMENTS FOR COMMON COUNCIL FINAL APPROVAL

Ms. Bowman asked if the deal that was in the paper is in negotiations. Mayor Rilling said that no final changes are in effect as of this vote this evening. Mr. Serasis said they are on "Let's Make a Deal" and not "The Price is Right".

Mr. Corsello asked Mr. Coppola about the necessity of the amendment, since the public hearings are required. Mr. Coppola said that the motion clarifies that there will be at least two public hearings.

**** THE AMENDMENT PASSED WITH ONE (1) VOTE IN OPPOSITION (MR. KYDES)**

**** MAIN MOTION AS AMENDED PASSED WITH ONE (1) VOTE IN OPPOSITION (MR. BONENFANT)**

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

**** MR. LIVINGSTON MOVED TO ADJOURN**

**** MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was adjourned at 9:34 p.m.

ATTEST: _____
Donna King, City Clerk