

COMMON COUNCIL MINUTES SEPTEMBER 22, 2015
NORWALK, CONNECTICUT 7:30 P.M. 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

CALL TO ORDER.

Mayor Rilling called the meeting to order at 7:34 p.m.

ROLL CALL.

Ms. King called the roll.

Council at Large:	Mr. Richard Bonenfant Mr. Glenn Iannaccone	Mr. Douglas Hempstead Ms. Sharon Stewart
District A:	Ms. Eloisa Melendez	
District B:	Mr. Travis Simms	
District C:	Mr. John Kydes	Ms. Michelle Maggio
District D:	Ms. Shannon O'Toole-Giandurco	Mr. Jerry Petrini
District E:	Mr. David McCarthy	Mr. John Igneri

A quorum was present.

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

ACCEPTANCE OF THE MINUTES.

Regular Meeting – September 8, 2015.

**** MR. MCCARTHY MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER 8, 2015 MINUTES.**

**** THE MOTION TO APPROVE THE MINUTES OF THE SEPTEMBER 8, 2015 MINUTES AS SUBMITTED PASSED UNANIMOUSLY.**

PUBLIC PARTICIPATION.

There was no one present who wished to address the Council at this time.

MAYOR.

RESIGNATIONS AND APPOINTMENTS:

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Resignation: Roderick Johnson – Zoning Commission (Alternate)

Mayor Rilling stated that Mr. Johnson was resigning as an Zoning Commission Alternate in order to become a regular member of the Zoning Commission.

Appointment: Roderick Johnson – Zoning Commission (Regular).

Mayor Rilling presented Mr. Johnson as a candidate for the Zoning Commission.

**** MR. MCCARTHY MOVED TO APPROVE THE APPOINTMENT OF MR. RODERICK JOHNSON AS A ZONING COMMISSIONER.**

Mr. McCarthy said that while he had never personally met Mr. Johnson, he had done some research and discovered that Mr. Johnson was a retired Marine. Also he has served the City as Executive Director of the Redevelopment Agency in the late 1970's, early 1980's. This would give him a good working knowledge of zoning.

**** THE MOTION PASSED UNANIMOUSLY.**

MAYOR'S REMARKS.

Mayor Rilling stated that sundown marked the beginning of Yom Kippur, the Jewish high holy day. He added that Pope Benedict had arrived in the United States earlier in the day and hoped that the Pope's message of peace and unity would prevail across the nation.

On Sunday, September 27th, the Wall Street Theater would be celebrating 100 years of entertainment. Wall Street will be closed down from noon to 6 p.m. for a street festival that day.

The next Mayor's Night Out is scheduled for September 28th at City Hall in the Community room.

On Saturday, October 3rd, there will be a dedication of the new Nathan Hale sports field at 9 a.m.

Mayor Rilling said that the City was honored to host the naturalization ceremony for 22 citizens from 18 different countries for the first time. Judge William Garfinkle administered the oath of allegiance. He thanked Ms. Brescia and Congressman Himes for making this event happen.

Mr. Hempstead said that it was a touching ceremony and very moving.

COUNCIL PRESIDENT.

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General Council Business

Mr. Petrini said that at 12 noon, there was a gathering for Mr. Hamilton, who is moving to the Board of Education. Mr. Barron will be the Interim Financial Director.

Resignations And Appointments –

There were no resignations or appointments to consider at this time.

Consent Calendar

There were no items on the Consent Calendar.

REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS:

There were no reports to consider at this time.

COMMON COUNCIL COMMITTEES:

A. Planning Committee:

1. Approve Contract for 70 and 68 South Main Street and Authorize the Mayor to execute same.

**** MR. HEMPSTEAD MOVED THE ITEM.**

Mr. Hempstead said that at the end of the day, the city could lay out 2 million dollars and have nothing to show for it. However, this settlement works for the City's benefit.

Mr. Bonenfant said that he had some concerns. He said that there would be 30 parking spaces in the police lot that are going to be given away. These will be a exclusive parking for the development across the street, but the City will be obligated to plow and light the lot for perpetuity.

Atty. Coppola said that the City would have the right to move the spaces if needed. He added that by having the City plow the lot, it will be done when it needs to be. Mr. Bonenfant said that there were vehicles that were impounded as evidence that were in the police back lot. They will be moved to the Yankee Doodle garage. Atty. Coppola said that the garage was more secure because it is fenced and covered.

Mr. Bonenfant said that the his biggest concern was the fact that the 30 spaces would not be available to the public. Atty. Coppola said that the new spaces would be created before December 2016 when the old spaces will become exclusive.

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Mr. Petrini said that he would be supporting this. He said that the garage was very secure. He said that back in the 60's, the buildings were centers of activity, but one didn't need parking back then. However, now, any developer needs parking and this will allow parking for new development, which is an investment in the future.

Mr. Simms said that he was with Mr. Bonenfant on this. He said that there was parking on site in back of the Moose Lodge. He added that Mr. Bonenfant had mentioned this was on the back of the taxpayers in terms of plowing and maintenance of the lot by the police station. He added that there was not a direct correlation. Atty. Coppolla said that there were contracts with the property owner and gave the details. Without the parking spaces, there will be no redevelopment of those parcels.

Mr. Simms said that he was also concerned about North Walk LLC, which is run by the current Redevelopment Agency Director and the Chairman of Planning and Zoning. He said that he had a problem with the fact that this contract was transferring this to a private entity. Getting the packet on Friday gave the Council Members very little time to review the documents. This is why Mr. Simms said he would not be supporting this item.

Mr. McCarthy asked about some of the details of security as outlined in the contract. He wished to know if the City would be liable if someone's vehicle was broken into while it was parked in the lot. Atty. Coppolla said that if someone was hurt in the lot now, they would sue the City and at the end of the day, it would be the same if it was a lot for exclusive use.

Ms. Maggio left the meeting at 8:05 p.m.

Atty. Coppolla pointed out that this was just a first step in allowing the redevelopment of the area.

Mr. Hempstead said that this type of agreement was not unique and mentioned several examples. This was leverage for remediation. He said that the \$800,000 was leverage for settling the lawsuit.

Mr. Kydes said that he had lived in the area and the building had been in shambles for a long time.

Mr. Bonenfant thanked Atty. Coppolla for his work on this. He asked why this was referred to as a "burdened property". Atty. Coppolla said that it was a legal technical term.

**** THE MOTION PASSED WITH EIGHT (8) IN FAVOR (HEMPSTEAD, IANNACONE, MELENDEZ, KYDES, O'TOOLE-GIANDURCO, PETRINI, IIGNERI, AND MCCARTHY) AND THREE OPPOSED (BONENFANT, SIMMS, AND STEWART).**

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MOTIONS POSTPONED TO A SPECIFIC DATE

There were no postponed motions from the Council floor at this time.

SUSPENSION OF RULES

There were no suspensions of the rules from the Council floor at this time.

ADJOURNMENT

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

The meeting adjourned at 8:11 p.m.

Respectfully submitted

S. L. Soltes
Telesco Secretarial Services.