

*Common Council Actions*

**COMMON COUNCIL**

**ACTION**

**MARCH 11, 2003**

**NORWALK, CONNECTICUT 8:00PM 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.**

The regular meeting of the Common Council of the City of Norwalk was held on Tuesday, March 11, 2003, in the Common Council Chambers, City Hall, 125 East Avenue, Norwalk, Connecticut. The Mayor, Alex A. Knopp, called the meeting to order at 8:05pm.

The local Girl Scouts opened the meeting with a formal flag ceremony. All present recited the Pledge of Allegiance.

**I. ROLL CALL**

Betsy Bain	Jeanette Olmstead-Sawyer
Kenneth Baker	Christopher Perone
Fred Bondi	Kevin Poruban
Carvin Hilliard	Judith Rivas
Barbara Hudgins	Douglas Sutton
William Krummel	Peter Wien
Bruce Kimmel	William Wrenn
Matthew Miklave	

Fifteen (15) members were present at Roll Call.

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## **II. ACCEPTANCE OF THE MINUTES**

### **A. Regular Meeting of February 25, 2003**

The following corrections were made to the minutes of February 25, 2003:

Page two, under the Consent Calendar, it should note that items VII, B, 1, 2a, 2b were tabled.

Page eleven, last paragraph, first line, delete the words of them; the third line should correctly read ..... recent months as our country has moved closer to war,.....; in the seventh line, delete the words involve international war and to.

Page twelve, third paragraph, replace the word conscience with conscientious; fourth paragraph, in the first line delete he and replace with we; fifth paragraph, third line, insert the word not (before whether) – at the end of that same line correct the spelling of whether; sixth line delete the word substitute and replace with substantive, same line, delete the word for and replace with such as; the seventh line should correctly read ..... on the other hand if it is the personal opinion of the Council members.....; ninth line, delete the words many issues and replace with this issue.

Page thirteen, fourth paragraph, sixth line should correctly read .... into you fighting somebody who is as scared ....; the last sentence should correctly read: He said his question is the people, whether combatant in wars, say they are going to kill you just long enough until you start to love them.

Page fourteen, first paragraph, sixth line after the word war insert /peace equation; second paragraph, first line after the word Norwalk insert Common Council, next line insert the word not (before need).

Page fifteen, in the third paragraph by Mr. Wien replace they to we throughout; fourth line insert the word he after the word that; fifth line correct word to read Europe. Last paragraph, first sentence change they to we and their to our.

Page sixteen, first line change they to we and their to our. Second paragraph, second line correct to read ....that it is best not to take a unilateral approach. Third paragraph, second line, after the word said, delete from and insert that he agreed with on; third line delete an answer and replace with any.

Page nineteen, last line delete the words would have to and replace with should.

**\*\* MR. KRUMMEL MOVED APPROVAL OF THE MINUTES AS AMENDED.**

**\*\* MOTION PASSED FOURTEEN VOTES IN FAVOR, ONE ABSTENTION (MR. BONDI).**

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### **III. PUBLIC PARTICIPATION**

Todd Bryant stated that he was speaking regarding the proposed amendment to the Norwalk code, chapter 55, Demolition of Historic Buildings and he urged Council members to vote in favor of this. He said this code will give protection to many more buildings than are currently covered; it also adds a critical public notification element to this provision. Mr. Bryant explained that this shows a commitment to the City of Norwalk to its architectural heritage.

Laurel Lindstrom stated that she also wished to speak to the same item and said that she would be supporting the amendment to the code and hoped that Council members would too. She also distributed the Know Your Town – Norwalk 2003 leaflet, published by the League of Women Voters and added that it was printed by Norwalk Public School Print Shop and thanked everyone involved for producing the document.

Gayle Wall encouraged the Council to vote in favor of the demolition delay ordinance and added that it would bring Norwalk into line with other towns in the state. She thanked everyone involved.

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### **IV. MAYOR**

#### **A. REMARKS**

Mayor Knopp announced that there will be a special meeting on March 18, 2003 in the Council Chambers at 8.00pm (not 7.30pm as stated on the agenda). He said it would be primarily for the purpose of taking up the consideration of the final budget expenditure resolution. He added that there would be other business conducted during the evening and said that since several meetings had to be cancelled due to the heavy snow, he asked if there were items that needed to be added to the agenda to please forward them to make up for lost opportunities.

Regarding the budget, issued by the Board of Estimate and Taxation, Mayor Knopp said there will be a public hearing tomorrow night (March 12, 2003). He said that one of the key issues is the discrepancy in the minimum in spending that he had recommended and the need for revenue increases. He said he had received an analysis from the Connecticut Conference of Municipalities of the Governor's proposed budget and listed the main items that would affect Norwalk and other municipalities. Mayor Knopp added that he has recommended expenditure increases that are less than those recommended by President Bush, Governor Rowland and the former Mayor Esposito in his last four years

of office. He indicated that Norwalk this year has received \$7 million less than ten years ago.

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V. **COUNCIL PRESIDENT**

A. **CONSENT CALENDAR**

**\*\* MR. MIKLAVE MOVED THE FOLLOWING ITEMS TO BE INCLUDED ON THE CONSENT CALENDAR.**

VI. **REPORTS: DEPARTMENT, BOARDS AND COMMISSIONERS**

A. **CORPORATION COUNSEL**

1. Authorization to settle claims: Charles Busek v. City of Norwalk

VII. **COMMON COUNCIL COMMITTEES**

A. **ORDINANCE COMMITTEE**

1. TECHNICAL CORRECTIONS to Barbershops, Hairdressing and Cosmetology Shops Ordinance.

B. **PUBLIC WORKS COMMITTEE**

1. **Rescind** the action taken by the Common Council on August 13, 2003, Item VII.B.7 which stated to Authorize the Mayor, Alex A. Knopp, to execute an Agreement with Walter H. Skidd – Land Surveyor, to provide Land Surveying Services in connection with the Highland Avenue Sanitary Sewer Project for a sum not to exceed \$5,100. Account No. 09 00/01/02/03 40 60 57777 CO045

2. Authorize the Mayor, Alex A. Knopp, to execute an Agreement with Grumman Engineering, LLC. to provide Professional Engineering Services in connection with the design of the Low Pressure Force Main System for the Highland Avenue Sanitary Sewer Project for a sum not to exceed \$7,000. Account No. 09 00/01/02/03 40 60 57777 CO045

1. Authorize the Mayor, Alex A. Knopp, to execute an Agreement with LBG Engineering Services, PC., for pre-design monitoring for the storm water control project on Water Street for a sum not to exceed \$54,000. Account No. 09 03 40 27 5777 CO0138
2. Technical correction to Common Council Meeting of October 8, 2002; Item VII.A.2., Area #3 Lot 228 should be Lot 228.

A. **FINANCE COMMITTEE**

2. For informational Purposes Only: Delinquent Tax Report dated March 1, 2003.
3. For informational Purposes Only: Narrative on Tax Collections dated March 5, 2003.
4. For informational Purposes Only: Monthly Tax Collector's Report Dated February 28, 2003.
1. Authorize the Mayor, Alex A. Knopp, to sign a contract with A. J. Gallagher & Company to Broker the City of Norwalk's Property and Casualty Insurance Program for the Period of July 1, 2003 to June 30, 2006 for a sum not to exceed \$76,000.00; \$28,500.00 for Fiscal year 2003-04, \$25,000.00 for Fiscal Year 2004-05 and \$22,500.00 for Fiscal Year 2005-06.

Mr. Miklave moved consent to remove the following item from the table:

IX. **MOTIONS POSTPONED TO A SPECIFIC DATE**

**PLANNING COMMITTEE**

1. Approve the analysis of impediments to fair housing choice draft version dated August 15, 2002; for placement on the agenda of the next regular meeting

Mr. Poruban asked that the agenda be amended to reflect Public Works Committee as item B and the Finance Committee as item C.

\*\* **MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

B. **OTHER GENERAL COUNCIL BUSINESS**

Mr. Miklave announced that tomorrow night (March 12, 2003) Acorn will be holding a forum on affordable housing at 7.30pm at NEON. He added that there will be two special meetings of the Finance Committee, March 13, 2003 and March 17, 2003; he asked Mr. Kimmel to summarize each meeting.

Mr. Kimmel said that meeting on March 13, 2003 is a public hearing on conveyance tax at 7.30pm and on March 17, 2003 there will be discussion before voting on this at 8pm. He added that at the special meeting on Monday there will be some more information from the Finance Department regarding the level of spending for next year.

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## **VII. COMMON COUNCIL COMMITTEES**

### **A. ORDINANCE COMMITTEE**

2. Proposed amendments to the Code of the City of Norwalk, Chapter 55, "Historic Buildings, Demolition of".

#### **\*\* MR. WRENN MOVED APPROVAL OF THE ITEM.**

Mr. Wrenn stated this ordinance, that they have called the Demolition Delay Ordinance affirms the importance of preserving Norwalk's heritage for present and future generations. He thanked the Committee, Ed Schmidt, Todd Bryant and other members of the Norwalk Preservation Trust. Mr. Wrenn explained that what this does is to recognize that Norwalk does have a unique, natural resource and that is history. He said sometimes when property changes hands or a new developer comes in, buildings can be taken down and what this ordinance does is to make a waiting period, a time out to give the Historical Commission and other interested individuals time to raise an objection and possibly find another solution.

Mr. Wrenn said try to imagine Norwalk without Lockwood Mansion or the Maritime Aquarium (for example) because these are all historic buildings that add a sense of place and give an identity to Norwalk. He said we will all be better for this and it is for the greater good of the community.

Mr. Kimmel agreed that this is an excellent ordinance. He noted that this is the most effective collaborative effort he had ever seen involving the Council and the public, he added that the public had some very valuable suggestions. Mr. Kimmel said he had also stated that he was very impressed with the speed that they were able to recognize a situation and two months later to come up with a very good ordinance.

Mr. Wien agreed with the comments of Mr. Kimmel in that he was impressed with the involvement of the public and said it was nice to see people involved. He added that he liked this ordinance because it does not put any hindrances on private property owners; it allows a time to take look at what is best for all concerned without depriving people of their rights. He thanked everyone involved with this.

Ms. Bain asked if this ordinance covers demolition by the city. Mayor Knopp replied that the answer to Ms. Bain's question was yes.

**\*\* MR. WRENN MOVED TO AMEND THE DEMOLITION DELAY ORDINANCE, SECTION 55-3 A, SECOND PARAGRAPH, TO INSERT THE WORD CURRENT BEFORE PHOTOGRAPH.**

**\*\* AMENDMENT PASSED UNANIMOUSLY.**

Mayor Knopp added that he agreed with Mr. Kimmel and Mr. Wien and thanked Mr. Schmidt for his help and research. He said the ordinance proposed tonight, makes three changes. First it is a more inclusive ordinance than the existing. He explained that under the existing ordinance if a structure is not listed then it is exempt from demolition delay ordinance; under the new proposal if the structure is more than fifty years old it is subject to the ordinance. Secondly, Mayor Knopp said the ordinance significantly improves the procedures for public notification. Thirdly, this protects everyone's rights by being much more specific about the times and deadlines involved regarding the demolition process

**\*\* ORDINANCE AS AMENDED PASSED UNANIMOUSLY BY VOICE VOTE.**

**C. FINANCE COMMITTEE**

1. Accept and Approve the Report of the Claims Committee Dated March 5, 2003.

**\*\* MR. KIMMEL MOVED TO ACCEPT THE REPORT AND TO AMEND THE AGENDA BY DELETING THE WORDS AND APPROVE.**

**\*\* MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

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**VII. RESOLUTIONS FROM COUNCIL MEMBERS**

There were none this evening.

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**X. SUSPENSION OF THE RULES**

There were none this evening.

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**XI. ADJOURNMENT**

**\*\* MR. MIKLAVE MOVED TO ADJOURN.**

**\*\* MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

The meeting was adjourned at 9:00pm.

**ATTEST:** \_\_\_\_\_

**Mary B. Roman, Assistant City Clerk**

