

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

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Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be read into the record, they should be submitted at least three hours in advance of the meeting start time. Please email Donna King at dking@norwalkct.org to provide written public comment prior to the meeting.

**CITY OF NORWALK
COMMON COUNCIL
SEPTEMBER 22, 2020
VIA TELECONFERENCE**

Mayor Rilling called the meeting to order at 7:36 p.m. and led the Assembly in reciting the Pledge of Allegiance.

I. ROLL CALL

Ms. King read the announcement and called the Roll:

The following Common Council members were present:

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Via Teleconference

Council at Large:	Mr. Gregory Burnett Mr. Manny Langella Ms. Barbara Smyth	Ms. Dominique Johnson Mr. Nicholas Sacchinelli
District A:	Mr. David Heuvelman	Mr. Kadeem Roberts
District B:	Ms. Darlene Young	Ms. Diana Revolus
District C:	Mr. John Kydes	Mr. George Theodoridis
District D:	Mr. George Tsiranides	Mr. Tom Keegan
District E:	Mr. Thomas Livingston	Ms. Lisa Shanahan

At Roll Call there were fifteen (15) Common Council members present. A Quorum was present.

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

II. ACCEPTANCE OF MINUTES

Regular Meeting: September 8, 2020

- ** MR. LIVINGSTON MOVED TO APPROVE THE MINUTES AS PRESENTED**
- ** MOTION PASSED WITH ONE (1) ABSTENTION (MS. REVOLUS)**

III. PUBLIC PARTICIPATION

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

Ms. Diane Lauricella said she sent an e-mail to all Common Council members that reflect additional thoughts. She asked as they get ready to vote on the Plan of Conservation and Development for the East Norwalk Neighborhood TOD Plan, that they send written instructions to the Planning Commission and ask that they enhance the plan by including green infrastructure and not making it a minimum standard. She noted that the Common Council has the right to add or give direction.

Ms. Lauricella said she did not see enough thought given to the different types of affordable housing; however, she said she was generally in favor of the plan. She said

she was aware of well-meaning residents who are concerned about density, but believes if they read the Plan they will be relieved.

Ms. Diane Cece spoke about the Plan of Conservation and Development, East Norwalk Neighborhood TOD Plan and said she agreed with Ms. Lauricella's comments and noted that green infrastructure should be the standard requirement in the Plan. She asked the Common Council to review the list of bonus amenities. She said that it was very important to understand the mix of amenities. She said one of the major concerns was over density and over population.

Ms. Cece suggested modifying the plan to reduce density and height capacity at three stories. She said she hoped there would be a discussion and the hundreds of comments submitted related to this Plan as part of the survey would be taken into consideration. Ms. Cece said she hoped the Common Council would take it upon themselves to advise the Planning and Zoning staff to consider modifying the Plan.

Ms. Cece said she had a number of concerns about the request made by the Norwalk Seaport Association.

Ms. King read a letter submitted by Mr. Richard Bonenfant in opposition to the Plan of Conservation and Development, East Norwalk Neighborhood TOD Plan.

Ms. King said the Planning Committee received several letters regarding the Plan of Conservation and Development, East Norwalk Neighborhood TOD Plan. Those letters were included in this evening's meeting packet.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS:

Deborah Lewis, Bike Walk Commission

Mayor Rilling announced Ms. Lewis' resignation from the Bike Walk Commission.

APPOINTMENTS:

Sam Ebert, Bike Walk Commission

**** MR. BURNETT MOVED TO APPROVE THE APPOINTMENT OF SAM EBERT TO THE BIKE WALK COMMISSION**

Mr. Burnett spoke in support of the appointment.

**** MOTION PASSED UNANIMOUSLY**

REAPPOINTMENTS:

Frank Nash, Pension Board

James Hendrickson, Pension Board

Richard Baskin, Pension Board

**** MR. LIVINGSTON MOVED TO APPROVE THE REAPPOINTMENT OF FRANK NASH, JAMES HENDRICKSON AND RICHARD BASKIN TO THE PENSION BOARD**

Mr. Livingston spoke in support of the reappointments.

Mr. Dachowitz also spoke in support of the reappointments.

**** MOTION PASSED UNANIMOUSLY**

Erica Kipp, Tree Advisory Board

Richard Whitehead, Tree Advisory Board

Cindy Cossuto, Tree Advisory Board

**** MR. HEUVELMAN MOVED TO APPROVE THE APPOINTMENT OF ERICKA KIPP, RICHARD WHITEHEAD AND CINDY COSSUTO TO THE TREE ADVISORY BOARD**

Mr. Heuvelman spoke in support of the appointments

**** MOTION PASSED UNANIMOUSLY**

Judson R. Aley, Parking Authority

**** MR. ROBERTS MOVED TO APPROVE THE APPOINTMENT OF JUDSON R. ALEY TO THE PARKING AUTHORITY**

Mr. Roberts spoke in support of the appointment.

**** MOTION PASSED UNANIMOUSLY**

MAYOR'S REMARKS:

Mayor Rilling and members of the Common Council welcomed Ms. Diana Revolus to the Common Council. He said he hoped she would enjoy her time on the Common Council. He said there are very big challenges ahead. Ms. Young said this was bitter sweet and that Ms. Revolus has big shoes to fill for Mr. Dumas who was a staunch advocate for the City and District B. Ms. Young told Ms. Revolus that she has a lot to learn but will get great satisfaction. Mr. Keegan welcomed Ms. Revolus.

Ms. Revolus thanked everyone for the ability to be here, representing District B and the City. She said her family's blood type is C for Community.

Mayor Rilling announced that on Saturday, September 26th a riverbank cleanup will take place along East Avenue as part of the International Coastal Clean Up Day. Volunteers are needed.

Mayor Rilling said that a water emergency was declared last week and is currently in effect.

Mayor Rilling announced that Norwalk is doing relatively well with Covid-19 cases, but there was a slight uptick in cases. He urged residents to continue to be cautious, practice social distancing, wear a mask and stay home if they do not feel well.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS:

Ms. Smyth noted Mr. Dumas' time on the Common Council and his commitment to the community. She said he has been a strong and powerful voice in the community.

Ms. Smyth welcomed Ms. Revolus who has been active in District B and in the Democratic Town Committee.

B. CONSENT CALENDAR:

**** MR. KEEGAN MOVED THE FOLLOWING CONSENT CALENDAR:**

VI.A.1, VII.A.1, VII.A.2, VII.A.3, VII.A.4, VII.C.1, VII.C.2, VII.C.3, VII.C.4, VII.D.1, VII.D.2, VII.F.1, VII.F.2

VI. REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

A. CORPORATION COUNSEL

1. AUTHORIZATION FOR DISCUSSION: SETTLEMENT: BARBARA RILEY AND HOPE COLES V. CITY OF NORWALK BOARD OF EDUCATION, NORWALK PUBLIC SCHOOLS DISTRICT. EXECUTIVE SESSION

VII. COMMON COUNCIL COMMITTEES

A. FINANCE AND CLAIMS COMMITTEE

1. ACCEPT AND APPROVE THE REPORT OF THE CLAIMS COMMITTEE DATED: SEPTEMBER 10, 2020

2. FOR INFORMATIONAL PURPOSES ONLY: NARRATIVE ON TAX COLLECTIONS DATED: SEPTEMBER 10, 2020.

3. FOR INFORMATIONAL PURPOSES ONLY: MONTHLY TAX COLLECTOR'S REPORT DATED: AUGUST 2020.

4. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A 12 MONTH AGREEMENT WITH 2 ONE-YEAR OPTIONAL EXTENSIONS WITH INNOVATIVE INTERFACES SOLUTIONS, A SOLE SOURCE PROVIDER, FOR INTEGRATED LIBRARY SYSTEM CLOUD HOSTING SERVICES AND MAINTENANCE/SUPPORT FOR THE NORWALK PUBLIC LIBRARY FOR AN AMOUNT NOT TO EXCEED \$59,990.00, ACCOUNT 011370-5742 (BUDGETED OPERATING EXPENSE, NO SPECIAL APPROPRIATION REQUIRED).

C. PUBLIC WORKS COMMITTEE

1. ACQUISITION OF EASEMENT FROM THE STATE OF CONNECTICUT CONCERNING THE ROWAYTON AVENUE RECONSTRUCTION AND POWER PROJECT, SAID EASEMENT RECORDED ON THE NORWALK LAND RECORDED AS FOLLOWS: CERTIFICATE OF CONDEMNATION RECORDED IN VOLUME 7704, PAGE 47 ON NOVEMBER 5, 2012; CERTIFICATE OF CONDEMNATION RECORDED IN VOLUME 7847, PAGE 24 ON JUNE 18, 2013; CERTIFICATE OF CONDEMNATION RECORDED IN VOLUME 7820, PAGE 299 ON MAY 6, 2013; EASEMENT RECORDED IN VOLUME 7703, PAGE 282 ON NOVEMBER 5, 2012; EASEMENT RECORDED IN VOLUME 7703, PAGE 155 ON JANUARY 21, 2013.

2. 185 LIBERTY SQUARE (DOT FILE NO. 301-176-046) AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL

DOCUMENTS NECESSARY TO CONVEY A 4,016±SQ. FT. TEMPORARY COMPENSATORY WETLAND MITIGATION EASEMENT TO THE STATE OF CONNECTICUT AS SHOWN ON SURVEY MAP ENTITLED: “TOWN OF NORWALK MAP SHOWING EASEMENT ACQUIRED FROM CITY OF NORWALK BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION WALK RAILROAD BRIDGE REPLACEMENT SCALE 1” =20’ JANUARY 2020 MARK D. ROLFE, P.E. CHIEF ENGINEER – BUREAU OF ENGINEERING AND CONSTRUCTION”, TOWN NO. 102, PROJECT NO. 301-176, SERIAL NO. 46, SHEET 1 OF 1.

3. 15 & 60 SOUTH SMITH STREET (DOT FILE NO. 301-176-012B) AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO CONVEY A 633± SQ. FT. TEMPORARY COMPENSATORY WETLAND MITIGATION TOGETHER WITH 8,579± SQ. FT. ACCESS EASEMENT TO THE STATE OF CONNECTICUT AS SHOWN ON SURVEY MAP ENTITLED: “TOWN OF NORWALK MAP SHOWING EASEMENT ACQUIRED FROM CITY OF NORWALK BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION WALK RAILROAD BRIDGE REPLACEMENT SCALE 1” = 40’ JANUARY 2020 MARK D. ROLFE, P.E., CHIEF ENGINEER – BUREAU OF ENGINEERING AND CONSTRUCTION”, TOWN NO. 102, PROJECT NO. 301-176, SERIAL NO. 12B, SHEET 1 OF 1.

4. 30 MONROE STREET (DOT FILE NO. 301-176-047) AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL DOCUMENTS TO CONVEY A 1,553± SQ. FT. TEMPORARY CONSTRUCTION EASEMENT AND A 6,530± SQ. FT. TEMPORARY ACCESS EASEMENT TO THE STATE OF CONNECTICUT AS SHOWN ON SURVEY MAP ENTITLED: “TOWN OF NORWALK MAP SHOWING EASEMENT ACQUIRED FROM CITY OF NORWALK BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION WALK RAILROAD BRIDGE REPLACEMENT SCALE 1” =20’ JANUARY 2020 MARK D. ROLFE, P.E. CHIEF ENGINEER – BUREAU OF ENGINEERING AND CONSTRUCTION”, TOWN NO. 102, PROJECT NO. 102, PROJECT NO. 301-176, SERIAL NO. 47, SHEET 1 OF 1, REVISED 3/31/20.

D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1. TECHNICAL CORRECTION: AMEND COMMON COUNCIL ACTION OF SEPTEMBER 8, 2020 ITEM VII.C.1A.&1B. TO CORRECT ACCOUNT NUMBER FROM “0919/206363 5777 C0549” TO “0919/21 6310 5777 C0549”. SAID ACTION SHALL READ AS FOLLOWS:

1A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE A CONTRACT WITH A.V. TUCHY, INC. FOR THE INSTALLATION OF AN ELEVATOR AT THE NORWALK MUSEUM FOR A TOTAL NOT TO EXCEED \$469,978.00. ACCT. # 0919/21 6310 5777 C0549

1B. AUTHORIZED THE HISTORICAL COMMISSION TO EXECUTE CHANGE ORDERS ON CONTRACT FOR A TOTAL NOT TO EXCEED \$47,000.

2. TECHNICAL CORRECTION: AMEND COMMON COUNCIL ACTION OF AUGUST 11, 2020 ITEM 2A. &

2B. TO CORRECT ACCOUNT NUMBER FROM 09205010-5777-C0652 TO 09215010-5777-C0652

2A. AUTHORIZE THE MAYOR, HARRY W. RILING, TO EXECUTE AN AGREEMENT WITH AM ELECTRIC COMPANY LLC. FOR THE SILVERMINE ELEMENTARY SCHOOL AIR CONDITIONING AND ELECTRICAL UPGRADES PROJECT FOR A TOTAL NOT TO EXCEED \$345,000.

FUNDS ARE AVAILABLE IN ACCT. #09215010 5777 C0652.

2B. AUTHORIZE THE NPS FACILITIES DEPARTMENT TO ISSUE CHANGE ORDERS ON THIS CONTRACT FOR A TOTAL OF \$34,500. FUNDS ARE AVAILABLE IN ACCT. #09215010 5777 C0652.

F. COMMUNITY SERVICES AND PERSONNEL COMMITTEE

1. APPROVAL OF AND VOTE ON COLLECTIVE BARGAINING AGREEMENT SETTLEMENTS. EXECUTIVE SESSION

2. APPROVAL OF AND VOTE ON ORDINANCE SALARY SCHEDULE ADJUSTMENTS. EXECUTIVE SESSION

**** MOTION PASSED BY ROLL CALL VOTE WITH FOURTEEN (14) IN FAVOR (MR. BURNETT; MS. JOHNSON; MR. LANGELLA; MR. SACCHINELLI; MS. SMYTH; MR. HEUVELMAN; MR. ROBERTS; MS. YOUNG; MR. KYDES; MR. THEODORIDIS; MR. KEEGAN; MR.**

**TSIRANIDES; MR. LIVINGSTON; MS. SHANAHAN) AND ONE (1)
ABSTENTION (MS. REVOLUS)**

VII. COMMON COUNCIL COMMITTEES

E. PLANNING COMMITTEE

**** MR. KYDES MOVED TO APPROVE THE AMENDMENT TO THE NORWALK CITYWIDE PLAN: 2019-2029, PLAN OF CONSERVATION AND DEVELOPMENT, TO INCORPORATE THE EAST NORWALK NEIGHBORHOOD TOD PLAN AND AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE THE AMENDED PLAN AND ALL ASSOCIATED DOCUMENTATION.**

Mr. Kydes spoke in support of the Plan. He thanked the Oversight Committee and the Planning Committee who spent two years working on this. He explained the next steps if the Plan is approved and said the ultimate decision lies with the Zoning Commission. He said that he feels comfortable with the Plan and noted that the area is in need of a facelift.

Mr. Kydes said he hoped the public would continue to reach out to the Zoning Commission.

Mr. Keegan said that he appreciated the efforts of everyone involved; however, overwhelmingly, the citizens in East Norwalk have said they do not want this. He said that it is important as a representative of the people to listen to them.

Mr. Livingston questioned Mr. Kleppin, Director of Planning and Zoning about the bonus amenities and about the green building design. He asked how the Common Council could best make it known about their wish to incorporate green building and sustainability into the Plan and what they could do to memorialize those ideas. Mr. Kleppin said the Common Council would need to memorialize those ideas to the Planning Commission. He said this is one document and the plan has several appendices. He said he is hearing loud and clear that green building should be part of the plan. He said he will have the consultants look at the Plan.

Mr. Heuvelman asked if this would be the last time for the Common Council to weigh in if the Plan is passed. Mr. Kleppin said that the Common Council is only voting on the amenities.

Mr. Heuvelman proposed an amendment to the Plan.

**** MR. HEUVELMAN MOVED THAT THE COMMON COUNCIL OF THE CITY OF NORWALK WOULD LIKE TO STRONGLY RECOMMEND THE PLANNING AND ZONING COMMISSIONS THAT AS PERTAINS**

TO THE EAST NORWALK TOD PLAN (THE PLAN) THESE COMMISSIONS FIND WAYS TO INCLUDE GREEN BUILDING TECHNIQUES, SUSTAINABLE MATERIAL USE, RENEWABLE ENERGY SOURCING, ENERGY EFFICIENCY STANDARDS AND AFFORDABLE HOUSING STANDARDS IN THE PLAN NOT AS BONUS AMENITIES THAT EARN POINTS BUT AS BASELINE STANDARDS BY WHICH NEW CONSTRUCTION WILL BE HELD TO.

**** MOTION PASSED BY ROLL CALL VOTE WITH FOURTEEN (14) IN FAVOR (MR. BURNETT; MS. JOHNSON; MR. LANGELLA; MR. SACCHINELLI; MS. SMYTH; MR. HEUVELMAN; MR. ROBERTS; MS. REVOLUS; MS. YOUNG; MR. KYDES; MR. THEODORIDIS; MR. TSIRANIDES; MR. LIVINGSTON; MS. SHANAHAN) AND ONE (1) ABSTENTION (MR. KEEGAN)**

Ms. Smyth said the concerns expressed by the residents have been addressed to her satisfaction. She asked Mr. Kleppin to address the density and the appropriateness of the 3 ½ story structure. Mr. Kleppin presented slides and said adding the additional half story will create a more attractive building. He explained that they are trying to capture a maritime theme in East Norwalk. East Avenue as a whole has had its own feel to it and they are trying to strike a good balance in heights.

Ms. Johnson told Mr. Kleppin that she has been hearing about issues about traffic and the parking analysis. She asked what they could tell residents and people using the train station. Mr. Kleppin said they heard about traffic concerns loud and clear from the beginning of the process. He reviewed the traffic infrastructure capacity and described initiatives that will take place, including burying utilities and a light replacement at St. John Street which will help with bottlenecking.

**** MR. KYDES MOVED TO APPROVE THE AMENDMENT TO THE NORWALK CITYWIDE PLAN: 2019-2029, PLAN OF CONSERVATION AND DEVELOPMENT, TO INCORPORATE THE EAST NORWALK NEIGHBORHOOD TOD PLAN AND AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE THE AMENDED PLAN AND ALL ASSOCIATED DOCUMENTATION. THE COMMON COUNCIL OF THE CITY OF NORWALK WOULD LIKE TO STRONGLY RECOMMEND THE PLANNING AND ZONING COMMISSIONS THAT AS PERTAINS TO THE EAST NORWALK TOD PLAN (THE PLAN) THESE COMMISSIONS FIND WAYS TO INCLUDE GREEN BUILDING TECHNIQUES, SUSTAINABLE MATERIAL USE, RENEWABLE ENERGY SOURCING, ENERGY EFFICIENCY STANDARDS AND AFFORDABLE HOUSING STANDARDS IN THE PLAN NOT AS BONUS**

AMENITIES THAT EARN POINTS BUT AS BASELINE STANDARDS BY WHICH NEW CONSTRUCTION WILL BE HELD TO.

- ** MOTION AS AMENDED PASSED BY ROLL CALL VOTE WITH (12) TWELVE IN FAVOR (MR. BURNETT; MS. JOHNSON; MR. LANGELLA; MR. SACCHINELLI; MS. SMYTH; MR. HEUVELMAN; MR. ROBERTS; MS. YOUNG; MR. KYDES; MR. TSIRANIDES; MR. LIVINGSTON; MS. SHANAHAN) ONE (1) ABSTENTION (MS. REVOLUS) AND TWO (2) VOTES IN OPPOSITION (MR. THEODORIDIS; MR.KEEGAN)**

C. RECREATON, PARKS AND CULTURAL AFFAIRS COMMITTEE

- ** MS. YOUNG MOVED TO GO INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING ITEM**

1. Authorize the Mayor, Harry W. Rilling, to enter into an agreement with Norwalk Seaport Association for the use of Calf Pasture/Shady Beach for a Seaport Holiday Light Show to be held from Thursday, November 26, 2020 through Thursday, December 31, 2020 from 5:00 PM – 10:30 PM daily. Set up date to be determined. Vehicular traffic only.

- ** MOTION PASSED UNANIMOUSLY**

The public was excused and the members of the Common Council along with Mayor Rilling, Mr. Coppola, Mr. Callahan, Mr. Roberts and Mr. Carr went into Executive Session at 8:51 p.m.

They came out of Executive Session at 10:29 p.m.

During Executive Session, no motions were made and no votes were taken.

- ** MS. YOUNG MOVED TO REFER THE FOLLOWING ITEM BACK TO COMMITTEE FOR FURTHER DISCUSSION AND REVIEW:**

1. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO ENTER INTO AN AGREEMENT WITH NORWALK SEAPORT ASSOCIATION FOR THE USE OF CALF PASTURE/SHADY BEACH FOR A SEAPORT HOLIDAY LIGHT SHOW TO BE HELD FROM THURSDAY, NOVEMBER 26, 2020 THROUGH THURSDAY, DECEMBER 31, 2020 FROM 5:00 PM – 10:30 PM DAILY. SET UP DATE TO BE DETERMINED. VEHICULAR TRAFFIC ONLY.

**** MOTION PASSED BY ROLL CALL VOTE WITH NINE (9) IN FAVOR (MR. BURNETT; MS. JOHNSON; MR. SACCHINELLI; MS. SMYTH; MR. HEUVELMAN; MS. YOUNG; MR. KEGAN; MR. TSIRANIDES; MR. LIVINGSTON) TWO (2) ABSTENTIONS (MS. REVOLUS AND MS. SHANAHAN) FOUR (4) VOTES IN OPPOSITION (MR.LANGELLA; MR. ROBERTS; MR. KYDES AND MR. THEODORIDIS)**

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. ROBERTS MOVED TO ADJOURN
** MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 10:32 p.m.

ATTEST: _____
Donna King, City Clerk