

Common Council Actions

COMMON COUNCIL

ACTION

OCTOBER 22, 2002

NORWALK, CONNECTICUT 8:00PM DST, 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, October 8, 2002, in the Common Council Chambers, City Hall, 125 East Avenue, Norwalk, Connecticut. Mayor Alex Knopp called the meeting to order at 8.10pm and led the assembly in reciting the Pledge of Allegiance.

I. ROLL CALL

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

Thirteen (13) members were present at Roll Call.

II. ACCEPTANCE OF MINUTES

A. Regular Meeting October 8, 2002

The following corrections were made:

Page 6, second paragraph, replace Mr. Krummel with "Mr. Kimmel".

Page 6, third paragraph, second sentence, after "Flax Hill Road", insert "the re-building of Brookside School".

Page 7, fifth paragraph, the first sentence should read: "Mayor Knopp added a word of caution with reference to how Brien McMahon, at this stage differs from the Maritime Parking Garage"

Page 8, third paragraph, first sentence, insert the word "interviewed" after the word "firm". Second sentence, delete the words "they were" and replace with "the previous council was".

**** MR. BONDI MOVED APPROVAL OF THE MINUTES AS AMENDED.**

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

III. PUBLIC PARTICIPATION

There were no speakers this evening.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

There were none this evening.

B. REMARKS

Mayor Knopp announced that the World Gym is coming to occupy 35,000 square feet of space at 84 Wall Street; he added that Design Warehouse previously occupied this space.

Mayor Knopp stated that this is another piece of important evidence that Wall Street is right for revitalization and concluded by saying that this is one of his top priorities of his administration to encourage businesses to pump iron on Wall Street. He welcomed the World Gym to Norwalk

Mayor Knopp also announced that tomorrow (October 23, 2002) is the Connecticut Conference of Municipalities and he has the pleasure of serving on this board. He said he was very pleased that Norwalk has been selected to be part of the Municipal Showcase 2002 at the convention and also that City Scan will also be part of the Showcase also. He said this is a project in Norwalk and is a policy of the Common Council that encourages citizens of the city to get involved with government that enables them to identify and monitor neighborhood issues around the city like litter, abandoned cars and graffiti using the latest technology. Mayor Knopp said that they are working with a number of community groups in the Glasser Street, East Norwalk and many other areas of the city to identify problems and turn them into work orders. Mayor Knopp said that is why CCM has encouraged Norwalk to showcase this to all the other municipalities in the State; projects are selected for the Municipal Showcase at CCM based on their feasibility.

V. COUNCIL PRESIDENT

A. CONSENT CALENDAR

Mr. Mann read the following items to be included on the Consent Calendar.

VI. REPORTS: DEPARTMENT, BOARDS AND COMMISSIONS

A. BOARD OF ESTIMATE AND TAXATION

1. RESOLVED, that a sum not to exceed \$14,640 be and the same is hereby transferred from Contingency to the Fire Department to pay for the balance of an exhaust system for Fire Station #1. (Account No. 01-3153-5790).

2. RESOLVED, that a sum not to exceed \$4,945 be and the same is hereby transferred from Contingency to the Police Department to pay for a new server that replaces an unrepairable old server. (Account No. 01-3058-5741).

VII. COMMON COUNCIL COMMITTEES

A. PUBLIC SAFETY & EMERGENCY PREPAREDNESS COMMITTEE

1a. Authorize the Mayor, Alex A. Knopp, to execute any and all documents necessary to apply for and accept grant funds from the State of Connecticut, Department of Transportation under the 2002 Thanksgiving/Christmas/New Years DUI Enforcement Program.

1b. Authorize the Mayor, Alex A. Knopp, to execute any and all agreements and instruments necessary to implement the 2002 Thanksgiving/Christmas/New Years DUI Enforcement Program grant funding.

2a. Authorize the Mayor, Alex A. Knopp, to execute any and all documents necessary to apply for and accept grant funds from the State of Connecticut, Department of Transportation under the 2003 Expanded DUI Enforcement Program.

2b. Authorize the Mayor, Alex A. Knopp, to execute any and all agreements and instruments necessary to implement the 2003 Expanded DUI Enforcement Program grant funding.

B. PUBLIC HEALTH AND WELFARE COMMITTEE

1. Approve the new fee schedule of the Norwalk Health Department for licenses and permits. (See attached)

A. RECREATION, PARKS AND CULTURAL AFFAIRS COMMITTEE

1. Authorize the Mayor, Alex A. Knopp, to execute an agreement with Team Mossman Triathlon Club for the use of Calf Pasture Beach for the Norwalk Triathlon, Sunday July 20th from 7:00am - 12 noon. Set up Saturday 5:00pm-9:00pm. Estimated attendance 300.
2. Approve the use of Brien McMahon Athletic Complex by the Norwalk Athletic Association Saturday November 2, 2002 from 8:00am - 10:00pm for the Pop Warner State Jamboree. Estimated attendance 1000+.
3. Approve the use of Veterans Park by the Maritime Aquarium for their annual "Fun Run" December 7, 2002 from 10:00am - 11:30am. Set up 8:00am-December 7 with a rain date of December 8, 2002. Estimated attendance 600.
4. Authorize the Mayor, Alex A. Knopp, to execute an agreement with the YMCA of Norwalk, Inc. to use Marvin School Grounds and Taylor Farm for the YMCA Norwalk Summer Camp 2003. The camp would run June 23, 03 - August 22, 2003. Mon-Fri. 7:00am - 6:00pm. Estimated attendance 450.

5. Authorize the Mayor Alex A. Knopp, to execute an agreement with the Save the Sound, Inc. for the use of Calf Pasture Beach, Sunday August 17, 2003 from

10:30am - 5:00pm for the "Races to Save the Sound" a major kayaking event. Set up will take place at 7:00am and take down by 6:30pm. Estimated attendance 450.

A. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1. Authorize the Mayor, Alex A. Knopp, to execute a lease agreement with Senior Services Coordinating Council, Inc. for the use of one classroom in Roosevelt Center. Lease period shall be for three (3) years and annual lease payment shall be \$1.00.

**** MR. MANN MOVED APPROVAL OF THE CONSENT ITEMS.**

Mr. Kimmel requested that items VII. B 1 and VII. C 1 be removed from the consent calendar.

**** MOTION PASSED UNANIMOUSLY.**

VI. REPORTS: DEPARTMENT, BOARDS AND COMMISSIONS

A. BOARD OF ESTIMATE AND TAXATION

3. RESOLVED, that a sum not to exceed \$6,928 be and the same is hereby transferred from Contingency to the Registrar of Voters Office to pay for expenses for the Democratic Primary for the State Representative in the 140th District. (Account No. 01-1210-5130;5290;5245).

**** MR. KIMMEL MOVED APPROVAL OF THE ITEM.**

Mr. Bondi recused himself and left the Council Chambers.

Mr. Kimmel stated that he was glad they were seeing an itemized list and that he had some questions with regard to the electrician's item of \$715.00 and the telephones for \$206.41 and why these costs had occurred. In the absence of a representative from the registrars' voters' office, Mayor Knopp answered Mr. Kimmel's questions. He said that

under state law telephones have to be installed in each voting place and the cost for the electricians is to install electric lines for the appropriate machines to be used. Mr. Kimmel questioned that in a time when the cell phone is so convenient that the need to install telephones could be eliminated, therefore saving approximately \$2000 a year.

Mayor Knopp stated that the Board of Estimate & Taxation with the registrars' voters' office did prepare this itemized list in advance of what they anticipate the special appropriations to be. He said this way there is more accountability and that this is an improvement of the system.

**** MOTION PASSED WITH TWELVE (12) VOTES IN FAVOR.**

Mr. Bondi re-joined the meeting.

VII. COMMON COUNCIL COMMITTEES

B. PUBLIC HEALTH AND WELFARE COMMITTEE

1. Approve the new fee schedule of the Norwalk Health Department for licenses and permits. (See attached).

**** MS. RIVAS MOVED APPROVAL OF THE ITEM.**

Ms. Rivas stated that the fees went before a public hearing held by the Board of Health; the fees for the costs are based on the cost of providing the services. She said that Mr. Tim Callahan was present to answer any other questions.

Mayor Knopp asked if it was the case under state law that if nobody raises any objection to the fees at the public hearing then they are accepted unless the Council overturns the action.

Mr. Callahan referred to Section 57.5 of the City Ordinance and said that there is process that outlines the guidelines that the Board of Health has to follow when considering fees; they review, hold a public hearing and then based on the information that they get, they make a decision as to whether or not to move the fees forward for approval. If they do, (as in this case) the City Clerk forwards them onto the Common Council and they can either approve, deny, change, send them back to the Board of Health or take no action.

The Mayor asked if it was fair to assume that these licenses/permits are matters that the Health Department issues in any event and if the fee structure or the taxpayer pays for the public health inspection.

Mr. Callahan said that the Connecticut Public Health Code establishes mandates for local health departments and the fees they charge are for mandated services. He gave an example using food establishments and health inspections.

Mayor Knopp said that the question is who pays for the cost of the inspection, the taxpayers or the restaurant. Mr. Callahan replied that the Board has developed a policy that the full cost of the inspection goes to the owner of the establishment and that city tax dollars should not subsidize that service.

Mr. Kimmel said according to the local statutes they are required to do a yearly update of the fees. Mr. Callahan replied that they were done periodically. Mr. Kimmel asked when was the last time the fees were updated. Mr. Callahan stated that the last change was in August 2002.

Mr. Kimmel asked if salons were related to relaxation centers. Mr. Callahan said they were not; they were beauty/nail/barber shops. He continued to say that at one time the state was involved with inspecting those establishments, they did however back away from them. Mr. Callahan said at the last session of the general assembly there was movement to require local health departments to provide that service. The bill did not pass, but as he understood it, it would be back this year. Mr. Callahan added although they were not required, it was their prerogative to go out and inspect those establishments.

Mr. Kimmel said with reference to the Public Pools, that they don't increase at that rate every other year. Mr. Callahan said with that particular increase there is a factor built in for water testing that they provide. When the inspector goes out and looks at a public pool, as part of the inspection they sample the water and they had not figured in the cost of doing that.

Mr. Miklave said he understood from the documentation that Mr. Callahan's office has tried to make sure that fees are in line with the cost of the services that they provide; he asked if that was what they had done here. Mr. Callahan replied that they have a cost accounting format that they plug their numbers into and that gets changed every year; these fees come very close to meeting the costs.

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

C. RECREATION, PARKS AND CULTURAL AFFAIRS
COMMITTEE

- 1. Authorize the Mayor, Alex A. Knopp, to execute an agreement with Team Mossman Triathlon Club**

for the use of Calf Pasture Beach for the Norwalk Triathlon, Sunday July 20th from 7:00am - 12 noon. Set up Saturday 5:00pm-9:00pm. Estimated attendance 300.

**** MR. BONDI MOVED APPROVAL OF THE ITEM.**

Mr. Kimmel said after looking at the back-up material, he could see that there are two options for the routes that the participants could take. He said he was curious as to who makes the decision.

Mr. Bondi stated that the option is up to the Deputy Chief.

Mr. Kimmel said that if Option A is taken then the police officers will be putting in for a lot of overtime. He said that Option B is less complicated and a safer route, therefore he would encourage them to look at Option B.

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

D. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1. Authorize the Mayor, Alex A. Knopp, to execute an agreement with Frederick P. Clark Associates, Inc. to provide traffic study for the Brien McMahon High School improvement project for a sum not to exceed \$10,000. Acct. 09035010 5777 C0237

**** MR. KRUMMEL MOVED APPROVAL OF THE ITEM.**

Mr. Krummel stated that Fletcher Thompson, the architects for Brien McMahon High School project presented a RFP and received four or five responses from traffic consultants. They examined each of the proposals and found that the lowest bidder provided the acceptable services that were required. The Land Use Committee unanimously supported this.

Mr. Kimmel said he was very impressed that they received a lot of information on this. He said firms they have used in the past for a variety of things had come in quite a lot higher; so this was a good process to find the lowest price. Mr. Kimmel said an issue came up in their discussion as to why a traffic study was required; he said it is required by the state and something they had to do.

Mr. Kimmel said another thing was that the Committee has taken steps to involve the neighboring community in decisions that relate directly to them, traffic being one of them by asking the Adhoc Committee to set up a relationship. He referred to a situation that had happened in the past with Norwalk High School and by involving the immediate community at the beginning stages he said this would hopefully avoid any kind of messy situations.

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

VIII. RESOLUTIONS FROM COUNCIL MEMBERS

There were none this evening.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were none this evening.

X. SUSPENSION OF THE RULES

There were none this evening.

XI. ADJOURNMENT

**** MR. MANN MOVED TO ADJOURN.**

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

The meeting was adjourned at 8.40pm.

ATTEST: _____

Pam Stark, City Clerk