

Common Council Actions

COMMON COUNCIL

ACTION

FEBRUARY 26, 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, February 26, 2002, in the Common Council Chambers, City Hall, 125 East Avenue, Norwalk, Connecticut. Mayor Alex Knopp called the meeting to order at 8:10 p.m. and then led the assembly in reciting the Pledge of Allegiance. He asked for a moment of silence in memory of Mr. Pearl, the journalist who had been killed recently in the Middle East.

I. ROLL CALL

Betsy Bain

**Jeanette
Olmstead-Sawyer
(absent)**

Kenneth Baker

Christopher Perone

Fred Bondi

Kevin Poruban

Barbara Hudgins

Matthew Miklave

Judith Rivas

Bruce Kimmel

**William
Krummel**

Joseph Mann

Douglas Sutton

William Wrenn

Peter Wien

Fourteen (14) Members were present at Roll Call.

II. ACCEPTANCE OF MINUTES

A. Regular meeting - February 12, 2002

The following corrections were made to the minutes:

Page 6, 8th line should read: "**Mr. Miklave recused himself from the item and removed himself from the Chambers.**" 2nd Paragraph, 4th Sentence should read: "He noted that other than setting the cap and a few other duties the Council **could only review the budget line by line in a fiscal crisis.**"

Page 10, 1st Paragraph, 3rd Sentence: Delete the word "father" and insert the word "**farther**".

Page 12, Last Paragraph: Correct the spelling of "Mr. Perrone" to "**Mr. Perone**".

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

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

B. Joint Meeting of the Common Council, Board of Education and Board of Estimate & Taxation - February 6, 2002.

Page 16, 4th Paragraph, 3rd Sentence: Delete the phrase "commented that the analysis" and insert the phrase "**asked whether** the analysis".

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

**** MOTION PASSED BY VOICE VOTE WITH THIRTEEN (13) IN FAVOR (MESSRS. BAKER, BONDI, KIMMEL, KRUMMEL, MANN, MIKLAVE, PERONE, PORUBAN, SUTTON WRENN, MS. BAIN, MS. HUDGINS, MS. RIVAS) AND ONE ABSTENTION (MR. WIEN).**

III. PUBLIC PARTICIPATION

Mr. Ray Emond, 19 Mola Road addressed the Members. He stated that he was the President of the Norwalk Karting Association. He presented a plaque to Mr. Mocciae,

Acting Director of Recreation and Parks Department, in appreciation for the group's use of Calf Pasture Beach for their weekly racing in the spring and fall of each year.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

There were none.

B. REMARKS

Mayor Knopp stated that the Board of Estimate and Taxation by unanimous vote approved a tentative budget that would be presented to the public at a Public Hearing tomorrow. He went on to state that subsequently the Board would review the budget for any changes that needed to be made and then the budget would be presented to the full Council. He remarked that the budget of this tri-partisan Board showed a great deal of merit. He added that it would expand property relief for senior citizens and allow taxpayers to deal with the impact of revaluation. He noted that the Board's unanimous vote indicated that the budget was on the right track.

V. COUNCIL PRESIDENT

A. CONSENT CALENDAR

Mr. Mann presented the following items for consent:

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 for the Bureau of Justice Assistance, Bulletproof Vest Partnership under the 2002 Bulletproof Vest Partnership Grant Program.

1b. Authorize the Mayor, Alex A. Knopp, to execute any and all agreements and instruments necessary to implement the 2002 Bureau of Justice Assistance, Bulletproof Vest Partnership Grant pursuant to such 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, Division of Highway Safety, Traffic Enforcement Equipment Grant.

2b. Authorize the Mayor, Alex A. Knopp, to execute any and all agreements and instruments necessary to implement the Traffic Enforcement Equipment grant from the State of Connecticut, Department of Transportation, Division of Highway Safety, pursuant to such grant funding.

B. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE

3. Approve the use of Shady Beach by Charles Bassett Director of Learning for

Life/Scout Reach for their annual Special Outing on May 16, 2002 with a rain

date of May 23rd from 8:00am-3:00pm. Estimated attendance 600.

4a. Authorize the Mayor, Alex A. Knopp, to execute an agreement with the Muddy Sports Group/Smart Cycle, Inc. for use of the grounds of Cranbury Park for the 19th Annual Jack Rabbit Run-Mountain Bike Classic on May 19, 2002 from 7:00am-7:00pm. Estimated attendance 700.

4b. Authorize the Mayor, Alex A. Knopp, to execute an agreement with the Muddy Sports Group/Smart Cycles, Inc. for the use of the grounds of Cranbury Park for the 7th Annual Jack Rabbit Run Fall Classic on September 8, 2002 from 7:00am-7:00pm. Estimated attendance 500.

6. Approve the use of Heritage Park and Veterans Park (launch ramp) by Marcia Powell, Splash Coordinator for the Annual Splash event on Sunday, June 2 from 12:00noon-5:00pm. Estimated attendance 2000+.

7a. Authorize the Mayor, Alex A. Knopp, to execute a contract with Northeast Turf Hue Inc. for the supply and installation of a multi-purpose synthetic field (Field Turf) at Brien McMahan High School for a total not to exceed

\$419,430.00 subject to the availability of funds. Acct. to be determined.

7b. Authorize the Acting Director of Recreation and Parks Department to issue change orders on contract for a total not to exceed \$10,000.00

X. SUSPENSION OF THE RULES

Add Item 7c. 1 regarding a Public Health and Welfare issue.

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

Mr. Wrenn requested that items 7B 4a and 4b be removed from Consent. Mayor Knopp stated that they would be removed.

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE. (14)**

B. OTHER GENERAL COUNCIL BUSINESS

Mr. Mann announced the following Committee changes for approval:

1. Ms. Bain was added as a Member of the Land Use and Building Management Committee.
2. Mr. Mann was added as a Member of the Public Works Committee.

Mayor Knopp remarked that there were no objections to either of these assignments and the Members would be added to their respective Committees.

B. RECREATION, PARKS & CULTURAL AFFAIRS 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 Environmental Protection under the Long Island Sound License Plate Program for Telling the Story; An Interpretive History of Calf Pasture for an amount not to exceed \$20,000.

1b. Authorize the Mayor, Alex A. Knopp, to execute any and all agreements, documents, instruments, and any amendments or supplements there to as may be necessary to implement the Long Island Sound License Plate Program

pursuant to such grant funding by the State of Connecticut, Department of Environmental Protection, for an amount not to exceed \$20,000.

**** MR. BONDI MOVED THE ITEMS FOR APPROVAL.**

Mr. Kimmel commented that he felt it was a good idea and a good program. He questioned Mr. Mocciaie about the total cost of the project due to the fact that he felt the price looked extremely high for 10 signs. Mr. Mocciaie explained that the signs were the exact same size that was used at Heritage Park and the cost was approximately \$1,500 each plus installation. He further explained that they had wanted to secure the same type of sign and there was no other manufacturer that sold the same type of product. Mr. Kimmel remarked that they should rethink how to go about developing the signs for the City and added that there must be a way to spend less. Mr. Mocciaie replied that specific interpretive signs were costly. Mr. Bondi asked if a less expensive sign for the parks could be utilized in the future and Mr. Mocciaie replied that in addition to these being interpretive signage they were the same design that was approved by the State for Heritage Park. Mr. Mocciaie remarked that he suspected that if they did not receive future Grants they would not be installing the same type of signage. He added that in this case they wanted to keep the same theme. Mr. Krummel asked if they were the same type as the signs at the Maritime Aquarium and Mr. Mocciaie replied that they were.

**** MOTION PASSED UNANIMOUSLY BY A SHOW OF HANDS. (14)**

1. Approve the use of Kendall School Parking area and adjacent grounds by Gene Horne of the Kendall School PTO for the Annual Kendall School Fair from April 13-22, Carnival dates April 17-20. Times 6:00-10:00pm. Estimated attendance 500 per day, 2000 total.

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

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE. (14)**

4a. Authorize the Mayor, Alex A. Knopp, to execute an agreement with the Muddy Sports Group/Smart Cycle, Inc. for use of the grounds of Cranbury Park for the 19th Annual Jack Rabbit Run-Mountain Bike Classic on May 19, 2002 from 7:00am-7:00pm. Estimated attendance 700.

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

Mr. Wrenn asked Mr. Mocciaie to verify that there were no wetlands involved in the route because even if they were restored after the event they would not be the same. Mr. Mocciaie replied that to the best of his knowledge there were not any wetlands involved. He explained that they had reviewed the map and the course for any wetlands but he would have to check with Conservation for any that were deemed recent. Mr. Wrenn

asked if he could show the course to the Conservation staff and Mr. Mocciae replied that he could do that in the future.

Mr. Krummel commented that he was in support of the Motion but he was concerned because he knew that bikes could cause damage and erosion and there could be a danger if they were not properly controlled. He expressed his feelings regarding the declining numbers of parks and trees and how they were confronted with people who wanted to use them. He remarked that they had to compromise with what was their heritage and how it was used. He noted that it might not be the case in this issue because people were willing to make restoration if needed and he trusted people like Mr. Mocciae. However, he wanted it to go on record that the Council was aware of the potential hazards.

Mr. Wien asked if the track went into the nearby woodland areas and Mr. Mocciae replied that it did. Mr. Wien asked if there would be spectators along that area and Mr. Mocciae replied that spectators would only be positioned at the start and finish areas. Mr. Wien remarked that the only reason he asked was due to the fact that this was the start of the mating season for the animals.

**** MOTION PASSED UNANIMOUSLY BY A SHOW OF HANDS. (14)**

4b. Authorize the Mayor, Alex A. Knopp, to execute an agreement with the Muddy Sports Group/Smart Cycles, Inc. for the use of the grounds of Cranbury Park for the 7th Annual Jack Rabbit Run Fall Classic on September 8, 2002 from 7:00am-7:00pm. Estimated attendance 500.

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

Mr. Bondi asked Chief Rilling to step up to the podium. Mr. Bondi stated that this was the weekend of the Oyster Festival and he asked Chief Rilling if there would be enough officers to handle both events. Chief Rilling replied that generally the cycling event had not required more than a couple of officers to be in attendance. He added that there were usually 35 officers in attendance at the Oyster Festival. Mr. Bondi noted that in the past traffic had been a problem, especially on Grumman Avenue. He added that the officers had cleared this away in the past and he hoped that they would continue to do so. Chief Rilling remarked if they were hiring only 4-5 officers there would not be a problem and he added that they could have the patrol officers on duty in the morning to make certain that parking did not start where it shouldn't be. He noted that they would have enough officers and if there were any concerns they had the right to order in the most junior officers if needed.

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

1. Authorize the Mayor, Alex A. Knopp, to execute an agreement with the Norwalk Karting Association to utilize Calf Pasture Beach for the 2002 Racing season. Spring season March 23, 30, April 6,13,20,27, May 4,11. Fall season October 5,12,19,26. November 2,9,16,23,7:00am-4:00pm.

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

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE. (14)**

Mayor Knopp commented that he was impressed with this family oriented activity that took place at Calf Pasture Beach.

X. PUBLIC HEALTH AND WELFARE

7c. 1. Authorize the Mayor, Alex A. Knopp, to sign and submit Norwalk's local Delinquency Prevention Plan to the Office of Policy and Management as Part I of the application for Grant funds under the Title V Delinquency Prevention Program.

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

Ms. Rivas stated that this was a 2-part Grant Application that the Department of Youth Services was submitting and there was a deadline involved. She commented that this was a citywide project including the coordination of after school programs and the City Clerk would be able to answer any questions regarding this matter.

Ms. Bain commented that she was in support of this item. She added that it dovetailed what a number of other programs. She pointed out that it did not focus on 0-8 year olds because they would be the focus of another program under Graustein Foundation funding. She remarked that she felt this project was well designed.

**** MOTION PASSED UNANIMOUSLY BY VOICE VOTE. (14)**

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

A. ORDINANCE

Note: Item was tabled to 02/26/02 meeting at the 02/12/02 meeting of the Common Council.

1. Adoption of Parking Authority Ordinance

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

Mr. Wrenn stated that he was pleased with the way the Committee crafted this Ordinance and he felt that it was first rate. He went on to state that a Parking Authority was something the City needed and would become self-sufficient. Personally, he stated that he would like to see no parking garages or cars and have everyone use public transportation but that was not the reality. He added that this would help the taxpayers.

Mayor Knopp asked Mr. Wrenn to move the new draft.

**** MR. WRENN MOVED APPROVAL OF R&C DRAFT 22502 REGARDING THE ADOPTION OF A PARKING AUTHORITY.**

Mayor Knopp noted the draft comparisons and that the purpose of the Authority was to remove the funding burden from the taxpayers. He advised that the Authority needed time to generate their own funds but in time it would be paid for by the parking users. He commented that it would create more debt capacity for the City and bonds affected would now be able to be used for other projects, i.e. schools. He stated that the issue was whether the City's commitment to improve parking would prevent it from building schools. He noted that the regulations for a Parking Authority were set up by State statute and one of those statutes was designed so that Members of the Authority would have a five-year term. Mayor Knopp pointed out that the long-term effect was that the Authority would create more debt capacity for schools, to identify the deficit and overtime have the deficit closed by making the fees meet the expenses and that would eliminate the subsidy that is now born in the amount of \$200,000 by the tax payers. He stressed that it was important to move this item forward tonight.

Mr. Kimmel stated that he was pleased that we're doing this and he noted that varying Bodies that deal with finances in Norwalk government would have financial oversight of the Authority. He went on to state that he wholeheartedly agreed to embark in such an entity and by doing so this was one way of basically being able to accomplish both the improvement to parking and dealing with the Schools for the Millennium projects. He closed by stating that he was pleased that they could come up with an Ordinance that was easy to read and would allow the City to accomplish much.

Mr. Krummel commented that the pros of this item were discussed well however there was a down side. He stated that even though there was a desire to have the parking users support the Authority the revenue bond implication would cost the City more. He went on to state that the City was ultimately responsible for the revenue bonds and reiterated that revenue bonds cost more. He remarked that even more so the Authority was a creature unto itself and being so he was glad that the Mayor's representative would be a Member. He stated that this might be a situation of the tail wagging the dog of setting priority on parking when really our priority is on the designs of the City, affordable housing and small business encouragement. He noted that there were no meters on Wall Street and the Yankee Doodle Garage was free. He expressed that he feared that the Authority would move to use meters and charge fees. He noted that larger businesses such as Costco, Stop and Shop and those businesses in strip malls have parking that are required by Planning and Zoning. However, he said that small business relied heavily on

client parking and he feared that the Authority would ignore the needs of small business. He closed by stating that he would support the item but he encouraged the Members to keep an eye on the Authority.

Mayor Knopp stated that it was not free to park in the Yankee Doodle Garage and there was a \$25 monthly cost or \$240 a year to its patrons. He went on to state that the Authority had no ability to request the installation of meters on any City street and he noted that the State statutes specifically excluded such installations. Mayor Knopp then addressed the bond issue and commented that they did cost more but if the City issued less risky bonds they would not be able to upgrade the schools the way they wished. He pointed out that it was riskier not to build the schools. He also pointed out that the businesses in South Norwalk had overwhelmingly asked the City to provide more parking. He remarked on the need to expand parking in that area and mentioned that the #1 complaint of businesses on Washington Street was the vacant stores due to the lack of parking.

Mayor Knopp commented that the City was responsible if the Authority failed but the same could have been said of the Maritime Aquarium, which turned out to be a major success. He stated that the issue was not whether there was a risk, but was the risk worth taking. He remarked that the City was meeting this need with the least risk possible and that the positive aspects outweighed the negative.

Mr. Kimmel commented that hopefully this would not cost the City and would help the taxpayers by the having parking users supporting the Authority. He pointed out that they would be building many garages and the City did not want to be in the business of running them. He also pointed out that the Council had the ultimate control of what the Parking Authority did and also controlled its existence.

Mr. Mann asked that the Members be mindful of what they were trying to accomplish – increase the fund capacity for the schools. He pointed out that businesses in South Norwalk were clamoring for additional parking. He stated that as a Councilman for that District he enthusiastically supported the Ordinance and he was proud to be part of the Council to put this forth. He also remarked that he was proud of the Mayor for his support.

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

Mayor Knopp thanked Attorney Ciccarello, Mr. Miller and Mr. Schmidt for their work on the formation of this Ordinance.

B. OTHER GENERAL COUNCIL BUSINESS

- 1.** A presentation by Steven Paganelli on the Coastal Fairfield County Convention and Visitor Bureau

Attorney David Waters addressed the Council. He stated that he was the Chair of the Coastal Fairfield County Convention and Visitor Bureau, an organization that promoted tourism. He remarked that Norwalk's interests were well represented by the Bureau and he noted that they were meeting with all of the municipalities to update them on the Bureau's activities.

Mr. Steve Paganelli addressed the Council. He stated that he would be presenting a short overview and six minute multimedia presentation that would highlight the Bureau's efforts in marketing this part of the State. He remarked that tourism was a billion dollar industry that paid \$100 million dollars a year in tax dollars. He pointed out that tourism was down 20%-25% this year which translated to \$20-\$25 million dollars that would not be going to the State.

Attorney Waters advised the assembly that hotel taxes paid by visitors that stayed at the hotels supported the funding for the Bureau and stressed that this funding did not come from any of the municipalities directly. He noted that there was a lot of activity and interest in this part of the State.

Ms. Bain asked what efforts the municipality and government could make to increase tourism and Mr. Paganelli replied that they needed to have an understanding of travel and tourism and Norwalk had that. Mr. Paganelli commented that infrastructure issues, i.e. parking were important as well as the cleanliness of the sidewalks. He remarked that legislative support was also needed. He said that lodging taxes generated \$75 million dollars a year and 13% of those funds were allocated for regional marketing efforts. He noted that last year the legislators had passed a cap on that and added that at this time with the economy and impact of 9-11 on travel and tourism they needed to expand. He pointed out that Mayor Knopp had opposed that legislation, which they appreciated. He stated that in spite of decreasing revenues they responded to the unique needs of the community by making cost cuts in the operations end.

Mr. Bondi asked how an organization or restaurant could be included in the literature and Mr. Paganelli replied that the Bureau's services were free and any organization only needed to let them know they were out there. Mr. Wien stated that he liked the pamphlet and noted that if they included the dollar structure of each restaurant's menu it would be helpful to tourists. Mr. Paganelli replied that was a good suggestion.

Ms. Stark commented to Mr. Paganelli that he might want to mention that their website was becoming interactive. Mr. Paganelli added that they were dedicated to being above the curve in technology. He noted that their calendar of events over the course of a year had 1,500 entries. Ms. Stark went on to comment that their calendar was becoming interactive to make it easier for organizations to submit information. Also that the CFCUB had produced targeted pamphlets; one on impressionistic art and one on historic homes.

REPORTS: DEPARTMENT, BOARDS AND COMMISSIONS

Mayor Knopp advised that Mr. Baker had recently been appointed the Chairman of the Maritime Authority.

He stated that there had been a complete substitution of the Ordinance for the Parking Authority and that the vote that had been taken on Item 9.A.1 had been a vote to approve the Authority. He then called for a vote on passage of the substance of the amended Ordinance.

**** MAYOR KNOPP MOVED APPROVAL OF THE AMENDED ORDINANCE FROM ITEM 9.A.1.**

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

VIII. RESOLUTIONS FROM COUNCIL MEMBERS

There were none this evening.

XI. ADJOURNMENT

**** MR. MANN MOVED APPROVAL TO ADJOURN THE MEETING.**

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

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Ann Marie DeLuca

Telesco Secretarial Services

ATTEST: _____

Pam Stark, City Clerk