

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 7:36 p.m. He then led all those present in reciting the Pledge of Allegiance. Following the conclusion of the Pledge, the Mayor requested that all present remain standing for 26 seconds of silence in memory of the 26 victims of the Sandy Hook Elementary School shooting, which occurred on December 14, 2014 in Newtown, Connecticut.

ROLL CALL.

Ms. King called the roll.

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| Council at Large: | Mr. Richard Bonenfant Mr. Douglas Hempstead Mr. Nicholas Sacchinelli | Mr. Michael Corsello Mr. Bruce Kimmel |
| District A: | Ms. Eloisa Melendez | Mr. Steve Serasis |
| District B: | Ms. Phaedrel Bowman | Mr. Travis Simms |
| District C: | Mr. John Kydes | |
| District D: | Ms. Shannon O’Toole-Giandurco | Mr. Michael DePalma |
| District E: | Mr. John Ignéri Council President. | Mr. Thomas Livingston |

There were 14 Council Members present and one absent (Maggio). A quorum was present.

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

II. ACCEPTANCE OF MINUTES

Regular Meeting: November 22, 2016

**** MR. IGNERI MOVED THE MINUTES OF NOVEMBER 22, 2016.**

The following correction was noted:

Page 9, paragraph 2, line 4: please change the following from:

“the costs of the project has risen to \$140,000.” To “the costs of the project has risen to \$140,000,000.”

**** THE MOTION TO APPROVE THE MINUTES OF NOVEMBER 22, 2016 AS CORRECTED PASSED WITH TWELVE (12) IN FAVOR (BONENFANT, CORSELLO, HEMPSTEAD, KIMMEL, SACCHINELLI, MELENDEZ, SERASIS, BOWMAN, KYDES, O'TOOLE-GIANDURCO, DEPALMA, AND IGNERI) AND TWO (2) ABSTENTIONS (SIMMS AND LIVINGSTON).**

III. PUBLIC PARTICIPATION

Ms. Susan Wallerstein came forward and greeted the Council members. She said that she was present as Chairman of the Arts Commission and wished to address Agenda Item VII D 1, which was coming from the Ordinance Committee for approval.

Ms. Wallerstein said that there were two words in the proposed ordinance that she would like the Council Members to focus on along with two reasons for approving this ordinance. The first word was “connect”. She went on to explain that in the three years that she had been chairman of the Arts Commission, the Commission has trained approximately 50 to 60 volunteer docents from all age ranges. The Commission has also been able connect local graphic design professionals with students interested in the profession. Signage and digital resources have been created to help Norwalk residents and visitors understand the arts, along with assisting graduates of the Norwalk public schools.

“Stewarding”, which involves accepting, maintaining and de-accessioning, are three critical functions for the public art. Examples of recent donations such as one from David Cole to the Center for Global Studies and the family of the late Bruce Mellion donated his art collection. In order to do this, someone has to contact the donors, and inventory the items. Maintaining the various pieces includes work with the Board of Education and the Anti-Graffiti Task Force, along with working to repair public art that may be damaged. Ms. Wallerstein said that the Commission was not the decision makers, but provided value added input.

She then said one reason the Council should proceed with this was due to continuity. Many people think that the Arts Commission started under Mayor Moccia, but it was actually begun by Mr. Cliff Barton under Mayor Bill Collins. With the Commission’s current status, if the Mayor or the citizens are not interested in having an Arts Commission, then there isn’t one because it is not codified in the Charter.

The second reason has to do with eligibility. Last spring, the Commission discovered that

the CDBG funding would only be available to a municipal Arts Commission. She thanked everyone for the time.

Mr. Charles Taney then came forward to address the Council members. He said that he was president of the Manresa Association which represents over 900 Norwalk households. He said that he wished to address Agenda Item VII A 2, the Economic Impact study involving a public/private partnership between the City of Norwalk and the Manresa Association. He then offered two reason why this would be important to approve.

Mr. Taney said that he had moved to the Village Creek area of Norwalk nine years ago, Prior to that, he lived in Greenwich and commuted into New York City on a daily basis. Each day, his train would pass by the closed Cos Cob power plant, which slowly crumbled into the ground for 29 years. When the Manresa plant was closed three years ago, Mr. Taney decided he did not want to be looking at that plant crumbling into Long Island Sound for the next 20 years. It's been three and a half years since the plant closed and nothing has been done on the property. NRG has said that they have not determined what the future plans are for the property. It is actually cheaper just to do nothing on the site and sit on it, which is what they did in Cos Cob. The Manresa Association does not want to see that happen and hopes that the Council does not want to have 125 acres right on Long Island Sound in that deteriorating condition.

Secondly, by undertaking this partnership, Norwalk will be moving towards a better outcome. It will be the current Common Council or their successors who will eventually have the NRG presenting a recommendation for the property. Having the Economic Impact Analysis will put the Council Members in the position of being able to make an informed decision. The Council Members will have their own metrics and data that has been developed by the City with the Manresa Association available to consider, rather than depending on their information.

Finally, Mr. Taney said that he would like to thank the City of Norwalk. The Manresa Association brought the idea of the Economic Impact study to the City with an offer of sharing the cost of the study. Mr. Taney said that the City stepped up and that the task force team that the Mayor appointed was terrific. He also thanked the Steering Committee for their hard work in selecting the firm to do the study. Mr. Taney then outlined the process for selecting the firm, including the RFP and evaluating the proposals. The selection of Fitzgerald & Halliday was unanimous.

Mr. Taney then said that he had a check in the amount of \$75,000 to cover the Manresa's Association's half of the study cost.

Ms. Rita Steinburger, who lives in Marvin Beach, which is one of the communities that is

a member of the Manresa Association. She said that she was present in support of the proposed study.

Ms. Steinburger said that they live on the east side of the Harbor and can see the plant from River Road. Her community feels that it is important to get an economic analysis on this parcel so they have an idea of potential uses of the property if NRG comes back to the City. If not, the study will allow the City to be pro-active.

Her particular concern was about the massive amount of coal ash and other hazardous substances that were on the island. There has been talk of rising tides and increased storms and the possible flooding of the land during a major storm, which would cause some run off into the Sound.

It has a premium location at the entrance to the Harbor and Ms. Steinburger felt that the City needs to work together to identify a way to move forward with this project through NRG or elsewhere. The first step is to sign the agreement. Ms. Steinburger thanked the Council for their time.

Mr. John Moeling came forward to address the Council. While he can not see the power plant from his home, he knows where it is since he kayaks around Norwalk. He said that he was present as the President of the Norwalk Land Trust. It is very important to have the City protected from environmental impacts no matter how the site is disposed of in the future. The Manresa Association has letters from the Trust for Public Land, the Nature Conservancy, Save the Sound and Soundwaters along with the Norwalk Land Trust expressing both their strong concerns and support about the degraded condition of Manresa Island.

Fitzgerald & Halliday was selected from the group of consultants who replied to the RFP regarding this. They have already given the Association some ideas on how to protect the environment and will give the City information on protecting themselves from storm surges and other issues.

Right now, the City receives approximately \$400,000 in tax revenue from NRG as it is. The owner will be most likely appeal to reduce the taxes. It is important to remember this moving forward and factor in whether future proposals will have revenue opportunities.

Mr. Moeling said that he would like to add his voice to that of his colleagues in support of this item.

Mr. Paul Cantor came forward to address the Council and said that he was present to ask the Council to bring the community together before the January 20th inauguration. Mayor Rilling pointed out that the Council Rules only allow resident to speak about

issues that were on the Council. Mayor Rilling said that the Council Members had all received an email from Mr. Cantor recently and they had read it. Mr. Cantor thanked the Mayor.

Mr. John Murphy came forward and greeted the Council Members. He said that he has worked at 40 Meadow Street for the last 27 years and was also an active member of the Manresa Association. Mr. Murphy said that the group has done some great work. He was present to represent some businesses and commercial land owners on Meadow Street and Woodward Avenue. The businesses feel a synergy with the neighbors because they are also property owners and taxpayers. The impact study will be a good thing since having the information will help in making good decisions.

Mr. Michael Mushak came forward and greeted the Council members. He said that while he lives about a mile and a half away from the plant, he can see it from his house. He strongly supports the efforts of the Manresa Association and felt Fitzgerald & Halliday would be an excellent firm. They have worked with the City in the past.

Mr. Mushak mentioned that he was a past Zoning Commission and explained that good planning sometimes seems like a tedious effort but in the end allows the best decisions to be made in the public's interest. This is a challenging property and will require a bold and creative solution since it is almost totally covered by the FEMA 100 year flood plain, as well as the access roads leading to it, which are Woodward Avenue and Meadow Street.

One of Mr. Mushak's dreams for the property is that it becomes a restored ecosystem with nature trails that would attract bird watchers and nature lovers from all over Connecticut. This may seem like it would deny the City precious tax revenue, but if done correctly, it could far exceed any development tax revenue. He spoke about how the Nature Conservancy assisted Cape May in creating such a degraded wildlife site that has resulted in major revenue of \$300,000,000 a year from hotels and restaurants. This is called "nature based solutions" and is a triple bottom line – not only economic benefits but also ecological and public benefits. This was done without developing the property at all. It is just an option.

Mr. Mushak encouraged Fitzgerald & Halliday to consult with the Center for Creative Community Development in North Adams, Massachusetts. The organization has published multiple case studies of cultural tourism. He gave examples of some organizations and pointed out that these projects created hundreds of new jobs. One suggestion was to turn the main space into an art space with the turbines and generators still in place. He suggested partnering with the Whitney Museum in New York City to make the site a cultural destination.

Mr. Mushak added that the parcel could become part of the McKinney Wildlife Refuge

with a visitor center built with Federal funding. He also mentioned a water taxi and a dock for boaters. This would also draw visitors to the nearby Sheffield Island and help the Seaport Association. There are many different possibilities.

Mr. Mushak said that he did not see having the parcel developed for residential use and that the Harbor Management Plan indicates that the City has reached the carrier capacity for the area. He thanked the Council for their attention.

There were five people that were on the list that signed up thinking it was an attendance list.

Mayor Rilling then asked if there was anyone else who wished to address the Council at this time.

Mr. Moeling said that there were a number of Norwalk Land Trust members present that were willing to answer anyone's questions. The Mayor thanked him for this information.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

RESIGNATIONS: There were no resignations to consider at this time.

APPOINTMENTS: There were no appointments to consider at this time.

REAPPOINTMENTS: There were no reappointments to consider at this time.

MAYOR'S REMARKS

Mayor Rilling announced there will be a West Rocks Middle School Jazz Ensemble concert in Norwalk City Hall Atrium on December 15th at 11:00 a.m.

On December 15th, there will be an Open House Design forum for the public to see the future uses for Freese Park.

On December 15th and 16th The Redevelopment Agency will be holding Community meetings to review the project timelines for the Ryan Park Remediation and Improvement at 149 Water Street.

On December 16th, the Carver Academy will be having a ribbon cutting for the Technology Center at 4 p.m.

On December 20th, the New Norwalk City Website will be launched.

On December 20th, at 7:30 p.m. Brien McMahon High School will be holding their annual Poinsettia Concert. He also encouraged everyone to attend the Norwalk

On December 21st, the West Rocks Strings Orchestra performance in City Hall atrium.

On December 21st, there will be a Presentation of gifts donated by the City employees to the Salvation Army, Person to Person and the Emergency Shelter.

On December 27th, Stew Leonard's will be have their Menorah lighting.

The Mayor wished everyone a happy holiday and encouraged everyone to keep their thoughts on the military serving around the world.

Mr. Serasis announced that the Norwalk Library will be having their Happy Holiday Show on December 22nd from 6:30 p.m. to 8:00 p.m.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS:

Mr. Igneri said that he had been on the committee that did the search for the economic analysis and there were numerous presentations, all of which were interesting. The group was unanimous in choosing Fitzgerald & Halliday as the group to perform the study.

Ms. Bowman said that she would like the Corporation Counsel to give a some clarification about the role and duties of Corporation Counsel at the next meeting. She said that she had concerns about Corporation Counsel representing the Board of Education and also had questions about whether Corporation Counsel would also represent the Council Members. She said that she was aware that the Charter states that they are supposed to represent Boards and Departments, however, on the City's organizational chart, the Board of Education is separate. She asked for clarification on this.

Atty. Coppola said that his department would provide her with the memorandum of law that explained the role of the Corporation Counsel. Ms. Bowman said that the public would also like to know.

Mr. Igneri said that the December 27th Council meeting would be cancelled. The next Council meeting will be on January 9th. He wished everyone a Happy Holiday and Healthy and Prosperous New Year.

B. CONSENT CALENDAR

**** MR. KYDES MOVED THE FOLLOWING ITEMS:**

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

A. CORPORATION COUNSEL

**1. AUTHORIZATION FOR DISCUSSION: DWIGHT BINGHAM V.
CITY OF NORWALK.**

VII. COMMON COUNCIL COMMITTEES

B. PUBLIC WORKS COMMITTEE

1. AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO CROWLEY FORD, LLC, FOR THE PURCHASE OF ONE (1) 2017 FORD EXPLORER FOR A SUM NOT TO EXCEED \$28,613.00 ACCOUNT NO. 0917 4031 5777 C0313

2A. AUTHORIZE THE MAYOR, HARRY W. RILLING TO EXECUTE AN AGREEMENT WITH ADVANCED ALARMS SECURITY SYSTEMS INCORPORATED RFP#3709 FOR THE REPLACEMENT OF THE CCTV SYSTEM AT THE DEPARTMENT OF PUBLIC WORKS OPERATIONS CENTER AND TRANSFER STATION FOR A SUM NOT TO EXCEED \$23,601.00 ACCOUNT NO. 0916 7100 5777 C0119

2B. AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ISSUE ORDERS ON AGREEMENT TO ADVANCED ALARMS SECURITY SYSTEMS INCORPORATED RFP#3709 FOR THE REPLACEMENT OF THE CCTV SYSTEM AT THE DEPARTMENT OF PUBLIC WORKS OPERATIONS CENTER AND TRANSFER STATION FOR A SUM NOT TO EXCEED \$2,360.00 ACCOUNT NO. 0916 7100 5777 C0119

3. APPROVE THE DISCONTINUANCE AND ABANDONMENT OF A PORTION OF HANFORD PLACE ALONG THE NORTHERN BOUNDARY OF THE HANFORD PLACE RIGHT-OF-WAY AT 13 DAY STREET (TAX LOT 2-58-46-0), IDENTIFIED AS PARCEL X-1 CONSISTING OF 92± SQ. FT. ON A MAP ON FILE IN THE DEPARTMENT OF PUBLIC WORKS ENTITLED "PROPERTY SURVEY DEPICTING STREET LINE REVISION &

**EXTINGUISHMENT OF EASEMENT AT 13 DAY STREET,
PREPARED FOR TRINITY WASHINGTON VILLAGE LIMITED
PARTNERSHIP AND THE NORWALK HOUSING AUTHORITY,
NORWALK, CONNECTICUT,” DATED SEPTEMBER 12, 2016.**

- 4A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL DOCUMENTS IN ORDER TO FINALIZE THE DISCONTINUANCE OF AND TO RELEASE THE CITY’S INTERESTS IN THE DISCONTINUED PORTION OF THE PROPERTY COMPRISING THE ABANDONED PORTION OF HANFORD PLACE ALONG THE NORTHERN BOUNDARY OF THE HANFORD PLACE RIGHT-OF-WAY AT 13 DAY STREET (TAX LOT 2-58-46- 0), IDENTIFIED AS PARCEL X-1 CONSISTING OF 92± SQ. FT. ON A MAP ON FILE IN THE DEPARTMENT OF PUBLIC WORKS ENTITLED “PROPERTY SURVEY DEPICTING STREET LINE REVISION & EXTINGUISHMENT OF EASEMENT AT 13 DAY STREET, PREPARED FOR TRINITY WASHINGTON VILLAGE LIMITED PARTNERSHIP AND THE NORWALK HOUSING AUTHORITY, NORWALK, CONNECTICUT,” DATED SEPTEMBER 12, 2016.**
- 4B. AUTHORIZE THE MAYOR HARRY W. RILLING, TO EXECUTE A QUIT CLAIM DEED RELEASING ANY INTERESTS THAT THE CITY MAY HAVE IN PARCEL X-1 IN FAVOR OF THE NORWALK HOUSING AUTHORITY FOR PURPOSES OF THE WASHINGTON VILLAGE HOUSING REDEVELOPMENT PROJECT.**
- 5. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE ANY AND ALL DOCUMENTS FOR THE PURPOSE OF INCORPORATING PARCEL X-2, CONSISTING OF 387± SQ. FT., INTO THE PUBLIC RIGHT OF WAY KNOWN AS HANFORD PLACE, IN ORDER TO WIDEN THE ROADWAY ALONG THE NORTHERN BOUNDARY OF THE HANFORD PLACE RIGHT-OF-WAY AT 13 DAY STREET (TAX LOT 2-58-46-0), AS DEPICTED ON A MAP ON FILE IN THE DEPARTMENT OF PUBLIC WORKS ENTITLED “PROPERTY SURVEY DEPICTING STREET LINE REVISION & EXTINGUISHMENT OF EASEMENT AT 13 DAY STREET, PREPARED FOR TRINITY WASHINGTON VILLAGE LIMITED PARTNERSHIP AND THE NORWALK HOUSING AUTHORITY, NORWALK, CONNECTICUT,” DATED SEPTEMBER 12, 2016.**

C. LAND USE COMMITTEE

- 1A. AUTHORIZE THE MAYOR, HARRY W. RILLING, TO EXECUTE AN AGREEMENT WITH STC BUILDING & PROPERTY MANAGEMENT FOR NORWALK CONCERT HALL INTERIOR ADA IMPROVEMENT PROJECT, FOR A TOTAL NOT TO EXCEED \$41,350.00. ACCOUNT #0917 1000 5777 C0536**
- 1B. AUTHORIZE THE OFFICE OF BUILDING MANAGEMENT TO ISSUE CHANGE ORDERS ON THE CONTRACT FOR A TOTAL NOT TO EXCEED \$4,135.00.**

**** THE MOTION TO APPROVE THE CONSENT CALENDAR PASSED UNANIMOUSLY.**

VII. COMMON COUNCIL COMMITTEES

A. PLANNING COMMITTEE

- 1. Council members who are considered to be “affected” are asked to state their name, the name of the affected organization(s), and the specific nature of the conflict for the public record, so that a waiver request may be filed with HUD as quickly as possible.**

Mr. Kydes read the item into the record.

Ms. O’Toole-Giandurco stated her name for the record and that the affected organization was the Carver Center because her husband, Joe Giandurco is the site director at Ponus Ridge Middle School after school program located at the Carver Center.

Ms. Bowman stated her name for the record and that the affected organization was Serving All Vessels Equally (SAVE). The potential conflict regarding some reimbursements and the fact that she receives a 1099 from the organization.

Mayor Rilling asked if there were any additional disclosures. No one else had a disclosure to make. No Council Action was required at this time.

- 2. Approve entering into a contract with Fitzgerald & Halliday for the development of the Manresa Island Economic Impact Analysis not to exceed \$150,000 (Account #017025-5258) and approve the Economic Development Director to execute the contract and related documents.**

Mr. Kydes said that he believed that the Council members or future council members would be helped by having the study prepared so that they would have some idea about the amount of mediation needed.

Mr. Livingston said that he fully supported the proposal. He said that he had worked with Mr. Taney and Mr. Moeling on this and it was a great example of a public/private partnership. This will help the Council be ahead of the game

Ms. O'Toole-Giandurco explained that she had voted no in the Committee meeting due to a lack of some information in the packet but received that information the next morning.

Mr. Kimmel said that the Mayor had set up an interesting task force and was pleased with the outcome. He added that he was impressed that the Manresa Association was able to raise that amount of money so quickly. In the past, the Council had been accused of being reactive rather than pro-active. He said that he appreciated the. Public/private partnership aspect and this is an example of how it should be done.

Mr. Hempstead said that he had lived on River road for many years and was very familiar with seeing the Power Plant on a daily basis when they were still burning coal before they switched to oil. He commented that he thought this was public/public because members of the public were participating with the Council. He said that the City had an opportunity to buy the island before the plant was built, but the purchase was not approved by the public.

Ms. Bowman said that she had some issues about it because the City does not own the property. She said that she was told it was being funded from overages in the budget. If there are overages in the budget the City doesn't have a social services department and should address that first.

Ms. Bowman asked why they had not gone with the lowest bidder. Mr. Taney came forward and said that if Ms. Bowman had been present for the four presentation, she would have understood why Fitzgerald was the unanimous choice of the Steering Committee. He added that the analysts had told them that they would offer them a number different options for consideration.

Ms. Bowman asked if there was a timeline regarding when the property might be sold. Mr. Taney said that there had been a meeting at the South Norwalk Police Department three years ago. He said that he had recently spoken with a senior executive responsible NRG property and tried to find out if they were going to be marketing the property. The senior executive stated that the future of the property was not yet determined. Mr. Taney reminded everyone that the property was contaminated and that the DEEP said that they can entertain a remediation plan until they know what the future use will be. NRG is not declaring any future use at this time.

Mr. Serasis said that he was in support of the project and the work that has been put into it along with the funding raised. He said that he was planning on abstaining on voting because he was from District A. Mr. Serasis said that there was a comment made earlier about the synergy in the area and the parking and traffic on main and Wall Street is crazy. The state of the uptown development want. An economic study on an uptown train platform. He spoke about a building on Wall Street that was in serious disrepair. He said that he was abstaining because Wall Street needs an economic study for the TOD.

Mr. Kimmel said that it was his understanding that the BET had already approved this issue.

**** MR. KIMMEL MOVED TO AMEND THE ITEM FROM:**

APPROVE ENTERING INTO A CONTRACT WITH FITZGERALD & HALLIDAY FOR THE DEVELOPMENT OF THE MANRESA ISLAND ECONOMIC IMPACT ANALYSIS NOT TO EXCEED \$150,000 (ACCOUNT #017025-5258) AND APPROVE THE ECONOMIC DEVELOPMENT DIRECTOR TO EXECUTE THE CONTRACT AND RELATED DOCUMENTS.

TO:

APPROVE ENTERING INTO A CONTRACT WITH FITZGERALD & HALLIDAY FOR THE DEVELOPMENT OF THE MANRESA ISLAND ECONOMIC IMPACT ANALYSIS NOT TO EXCEED \$150,000 (ACCOUNT #017025-5258) AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT AND RELATED DOCUMENTS.

**** THE MOTION TO AMEND THE ITEM PASSED UNANIMOUSLY.**

Mayor Rilling congratulated the Manresa Association, Land Trust and the Council members who attended the meetings and worked so hard for this project. They bring their passion for open space in Norwalk to the City and protect the space for the residents. He also thanked Mr. Kimmel, Mr. Livingston and Mr. Igneri for their time in attending these meetings in order to bring this to the Council for approval.

**** THE MOTION TO APPROVE THE ITEM AS AMENDED PASSED WITH ELEVEN (11) IN FAVOR (BONENFANT, CORSELLO, HEMPSTEAD, KIMMEL, SACCHINELLI, MELENDEZ, LIVINGSTON, KYDES, O'TOOLE-GIANDURCO, DEPALMA, AND IGNERI) AND THREE (3) ABSTENTIONS (SERASIS, BOWMAN AND SIMMS).**

D. ORDINANCE COMMITTEE

1. Approve proposed Arts Commission ordinance.

**** MS. MELENDEZ MOVED THE ITEM.**

Ms. Melendez said that she supported the ordinance because it affirms the City's commitment to the arts. It makes sense to have an official commission to help with the Arts.

Mr. Bonenfant said that he did not think it was quite ready and had some issues with the language. He suggested that the word "consent" in the second line of the first paragraph be replaced with the word "approval". He also had a suggestion regarding the use of the word "resident". Discussion followed and Mr. Bonenfant agreed that the phrase "resident elector" would be an acceptable substitution.

The discussion then moved to the language in the second paragraph. Mr. Bonenfant expressed concern about the minority party representation and said that only recognizing two parties blocked future Independent or unaffiliated Council Members from serving on the Commission. He also had concerns about the descriptions of the part time employee. He asked if the Commission would have the power to spend money. Mr. Bonenfant asked if they would have the ability to put a piece of art in a park without any departmental approval or a display in a public building without the Council's approval.

Mr. Kimmel said that he would like to make an amendment to the second paragraph by having it read: "The Commission shall include two members of the Common Council, no more than one member per political party, selected by the Council caucuses. The Common Council member shall serve only during their terms of office as Council members."

Regarding the other questions, he said that they were answered during the meetings and felt that the Council could move ahead with this tonight. Discussion followed about how the amendment should be amended.

Mr. Bonenfant said that he wanted some clarification on the Executive Director. Ms. Bowman agreed. She asked if the Council was creating a department and what their ability would be to spend funding.

Ms. Melendez asked Ms. Wallerstein to come forward to answer questions. Ms. Wallerstein came forward and explained that the Arts Commission had gone to CCM and other towns to see what kind of ordinances they had as examples. The final product was from the Law Department. The Arts Commission does not plan to become a department and did not ask for staffing or a 19 hour week position. The Law Department explained that the Historical Commission employs a part time handyman. The Arts Commissions would operate under the same requirements as all the other Commission in the City. For

the last 10 years, the Arts Commission had a modest budget and occasionally hires consultants for projects. A consultant contract, similar to the Manresa agreement that was just approved, would go through the Purchasing Department. The Arts Commission works very closely with the Historical Commission. When the Arts Commission suggested that they remove the employment part, the Law Department suggested it be left in and any hiring would go through Personnel. The other changes seem reasonable.

Atty. Coppola said that since the ordinance was being created now, it was wise to plan ahead so the Council doesn't have to go back and change things. The City already knows what will happen in the event that the Commission needs to part time employee.

Mr. Hempstead said that there were four amendments on the floor and they needed to move the ones already on the floor. Discussion followed.

**** MR. KIMMEL MOVED TO AMEND THE FIRST TWO PARAGRAPHS FROM:**

THERE SHALL BE A COMMISSION KNOWN AS THE "NORWALK ARTS COMMISSION." THE COMMISSION SHALL CONSIST OF ELEVEN MEMBERS, WHO SHALL BE APPOINTED BY THE MAYOR, WITH THE CONSENT OF THE COMMON COUNCIL. THE FIRST COMMISSIONERS APPOINTED SHALL BE DESIGNATED TO SERVE STAGGERED TERMS: THREE COMMISSIONERS SHALL SERVE FOR ONE YEAR; THREE FOR TWO YEARS AND THREE FOR THREE YEARS. AFTER THE INITIAL APPOINTMENTS, EACH COMMISSIONER SHALL SERVICE A TERM OF THREE YEARS. ANY VACANCY SHALL BE FILLED FOR THE UNEXPIRED PORTION OF THE TERM. NO PERSON SHALL BE APPOINTED OR REAPPOINTED TO THE COMMISSION UNTIL THEY ARE A RESIDENT OF THE CITY.

THE COMMISSION SHALL INCLUDE TWO MEMBERS OF THE COMMON COUNCIL, ONE MEMBER FROM EACH POLITICAL PARTY. THE COMMON COUNCIL MEMBER SHALL SERVE ONLY DURING THEIR TERMS OF OFFICE AS COUNCIL MEMBERS; AND, UPON THE EXPIRATION OF SUCH TERMS OF OFFICE, VACANCIES SHALL EXIST WHICH SHALL BE FILLED BY THE MAYOR WITH THE CONSENT OF THE COMMON COUNCIL FOR THE UNEXPIRED PORTION OF THE TERM OF THE MEMBER WHOSE PLACE SHALL BECOME VACANT.

TO:

THERE SHALL BE A COMMISSION KNOWN AS THE "NORWALK

ARTS COMMISSION.” THE COMMISSION SHALL CONSIST OF ELEVEN MEMBERS, WHO SHALL BE APPOINTED BY THE MAYOR, WITH THE APPROVAL OF THE MAJORITY OF THE COMMON COUNCIL. THE FIRST COMMISSIONERS APPOINTED SHALL BE DESIGNATED TO SERVE STAGGERED TERMS: THREE COMMISSIONERS SHALL SERVE FOR ONE YEAR; THREE FOR TWO YEARS AND THREE FOR THREE YEARS. AFTER THE INITIAL APPOINTMENTS, EACH COMMISSIONER SHALL SERVICE A TERM OF THREE YEARS. ANY VACANCY SHALL BE FILLED FOR THE UNEXPIRED PORTION OF THE TERM. NO PERSON SHALL BE APPOINTED OR REAPPOINTED TO THE COMMISSION UNTIL THEY ARE A RESIDENT ELECTOR OF THE CITY.

THE COMMISSION SHALL INCLUDE TWO MEMBERS OF THE COMMON COUNCIL, NO MORE THAN ONE MEMBER PER POLITICAL PARTY AND SELECTED BY THE APPROPRIATE COUNCIL CAUCUSES. THE COMMON COUNCIL MEMBERS SHALL SERVE ONLY DURING THEIR TERMS OF OFFICE AS COUNCIL MEMBERS.

Mr. Corsello said that he supported the Arts Commission but felt that the ordinance should not be amended on the floor and it should go back to Committee to finalize the language.

**** MR. CORSELLO MOVED TO TABLE THE ITEM.**

Mr. Hempstead requested a recess before the tabling of the item.

RECESS

Mayor Rilling asked the Council members if they would approve a recess. No one objected. A recess was declared at 9:01 p.m. The Mayor called the meeting back to order at 9:07 p.m.

**** THE MOTION TO TABLE THE ITEM PASSED UNANIMOUSLY.**

VIII. RESOLUTIONS FROM COMMON COUNCIL

There were no resolutions from the Council at this time.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

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

X. SUSPENSION OF RULES

There were no suspensions of the rules to consider at this time.

XI. ADJOURNMENT

**** MR. HEMPSTEAD MOVED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:08 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services