

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 8:15 p.m. and led the assembly with the pledge of allegiance.

City Clerk King read the notice that this meeting is being video taped and audio recorded for public broadcast, and assisted listening devices are available.

I. ROLL CALL

City Clerk King called the roll. The following Council Members were present:

Council at Large:	Mr. Richard Bonenfant	Mr. Douglas Hempstead
	Mr. Glenn Iannaccone	Mr. Bruce Kimmel
	Ms. Sharon Stewart	
District A:	Ms. Eloisa Melendez	Mr. Travis Simms
District B:	Ms. Phaedrel Bowman	Mr. David Watts
District C:	Mr. John Kydes	Ms. Michelle Maggio
District D:	Ms. Shannon O'Toole-Giandurco	Mr. Jerry Petrini
District E:	Mr. John Igneri	Mr. David McCarthy

Mayor Harry Rilling; Attorney Mario Coppola, Corporation Counsel; Donna King, City Clerk;
Fifteen members present. Absent: None

II. ACCEPTANCE OF MINUTES - Regular Meeting – October 13, 2015

Ms. Bowman requested a correction to page 11, paragraph 5, last sentence: add 'some people' before 'will'.

**** MR. MCCARTHY MOVED TO APPROVE THE MINUTES FROM THE MEETING OF OCTOBER 13, 2015 AS AMENDED WITH CORRECTION.
** THE MOTION PASSED UNANIMOUSLY.**

PUBLIC PARTICIPATION

Note: Public comments are not verbatim and represent summarizations of statements made unless otherwise noted.

Public Comments:

1. Larry Cafero, 6 Weed Avenue, Norwalk, stated he was the Attorney representing GGP and spoke in support of the mall conditions. He explained that they are very pleased the council revisited the condition that was problematic and they did take the unprecedented step of putting the council in the design process for North Water Street. He outlined the collaborative effort and hard work with the Committee and the Redevelopment Agency and expressed how they were cautiously optimistic to keep that process moving quickly. He added that it was key to be careful that the process does not delay or potential kill the project. He noted that we think will be a great project and he urged council members to approve the overpass sought by GGP.
2. Jo-Anne Horvath, 1 Cobblers Lane, Norwalk, said that she had attended many of the meetings and they view North Water Street a key pedestrian artery from West Avenue to SoNo. She presented an apple to Mr. Kimmel as a symbol of a crisp sweet apple rather than a bitter green one. She applauded the collaboration by all and noted that the design plans for the mall will bring jobs to the City.
3. Michael Crafter, 47 Ivy Place, Norwalk spoke in support of the mall and as a life long resident said there is a great need of such a place in the City rather than having to go to Stamford or Trumbull. He asked the Council to approve the development of the mall for the residents.
4. Kras Carlucci, Norwalk Housing Authority spoke of the study that was done on the impact of the mall on jobs in the City and the result of getting residents off of dependence on subsidized housing. He referred to the NCC curriculum training for resident to attain school readiness to promote jobs and the type of opportunity that the mall provides. She quoted studies that reveal jobs that help residents move out of subsidized housing to become self supporting, and she asked the Council to approve the development of the mall for the residents.
5. Patsy Brescia, stated that as a former city councilwoman and having run for the position as Mayor, noted that the development site, was a topic 40 years ago of this much needed redevelopment of the long-vacant site. She noted how she attended all or most of the meetings and commended the collaborative efforts involved. She expressed her concerns on wording of the volumes of documents and the word 'if' throughout and if not, what happens. She noted that Common Council design by committee can be a challenge, and pedestrian issues need to be closely monitored. She expressed support for the project, and said she was asking in a polite way to please make this happen for us.
6. Diane Lauricella, Blue Mountain Ridge Road, Norwalk said she was very impressed with the well-crafted plans for the mall and hopes that concerns have been resolved with the design review. She suggested a computerized model be created to ensure green, sustainable energy measures are being included. She referred to a teachable moment and quoted Thomas Edison on goals to move toward solar energy. She spoke on the goals for the Mayor's Energy Task Force, and her expertise and involvement on solar energy and green building incentives, and while she strongly supports and commends the committee for working on energy efficiency measures to have solar panels, there is a concern for the residents for the Land Use item on the agenda for the proposed city-sponsored solar challenge. She noted that it is encouraging to have this happening, asked to have more than one firm and to have this item be sent back to Committee for further evaluation to ensure that it is the best program for the residents. She referred to other state programs available that have smart loans and green solarized endorsements by solar engineers. She noted that this is being pushed through too quickly and we need to take a step back.

Public comments – continued

7. Mellodye Ragin, 7 Woodbury Avenue, said she was involved with the partners in youth programs and the LIFT program to teach youth about entertainment and the positive impact. She spoke about job opportunities that the mall will provide for citizens and the opportunities for youth in particular and hopes the council will vote yes on the development of the mall.
8. David Westmoreland, Elmwood Avenue, Norwalk spoke of the historical commission goals and how other cities have not preserved historic buildings to make room for parking lots. He spoke in support of the ordinance on the agenda that has revisions crafted which will help reserve the historic fabric of the City, which has become one of the first cities along the 95 corridor that actual represents a New England historic landscape. He spoke of the demolition delay that can be a disincentive for preservation but is an option for Historic Commission efforts to meet with property owners and discuss measures to avoid the demolition. He noted that the 21-day period created a pressure for time and tough to have a public hearing, while the state has 120 to 180 days as required for owner delays. He noted that there were only a few this year and only one resulted in the delay lifted.

Mayor Rilling closed the public participation portion of the meeting at 8:45 p.m.

MAYOR:

RESIGNATIONS/APPOINTMENTS/REAPPOINTMENTS: None

MAYOR'S REMARKS

Mayor Rilling noted that next Tuesday is Election Day and he encouraged all to get out and vote.

COUNCIL PRESIDENT

CONSENT CALENDAR

Mr. Petrini explained the consent calendar to those in attendance and noted that if their item is on consent it means that no further discussion will take place on the items and representatives in attendance on items on consent are free to leave.

**** MR. PETRINI MOVED THE CONSENT CALENDAR AS FOLLOWS:**

VII.A.1, VII.A.2, VII.A.3, VII.A.4, VII.A.6, VII.A.7, VII.A.8, VII.E.1, VII.E.2, VII.E.3a, VII.E.3b, VII.E.4, VII.E.5

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

Items on the Consent Calendar are in bold as follows:

VII COMMON COUNCIL COMMITTEES

A. RECREATION & PARKS

- 1. Authorize the Mayor, Harry W. Rilling to enter into an agreement with the Norwalk Hospital Foundation for the use of Calf Pasture and Shady Beach for the "Whittingham Cancer Walk" to be held Saturday, April 30, 2016 from 6:00 AM – 1:00 PM. Estimated attendance 2,000.**

Consent Calendar - continued

- 2. Authorize the Mayor, Harry W. Rilling to enter into an agreement with the Greenwich Kennel Club for the use of Taylor Farm Park for the 84th Greenwich Kennel Club AKC Dog Show Obedience and Rally to be held Saturday, June 11, 2016 from 8:30 AM – 6:30 PM. Set up to take place Wednesday, June 8, 2016 and tear down no later than 12:00 Noon on Monday, June 13, 2016. Estimated attendance 1,000+.**
- 3. Authorize the Mayor, Harry W. Rilling to enter into an agreement with Longshore-Southport Kennel Club, Inc. for the use of Taylor Farm Park for their 84th Longshore-Southport Kennel Club AKC Dog Show to be held, Sunday, June 12, 2016 from 8:00 AM – 7:00 PM. Tear down no later than 12:00 Noon on Monday, June 13, 2016. Estimated attendance 1,000+.**
- 4. Authorize the Mayor, Harry W. Rilling to enter into an agreement with Stepping Stones Museum for Children for the use of Mathews Park for an Inter Activity Block Party to be held Thursday, May 5, 2016 from 1:00 PM – 10:00 PM. Estimated attendance 1,600.**
- 5. Authorize the Common Council to adopt the listed changes to the current Facility Rental Agreement. ON CONSENT TO BE SENT BACK TO COMMITTEE.**
- 6. Authorize the Purchasing Agent to issue a purchase order for a Bobcat to be used in snow removal through Bobcat of Connecticut, Inc. (Sole Source) for an amount not to exceed \$69,571.00. Account #0916-6030-5777-C0486.**
- 7. Authorize the Mayor, Harry W. Rilling to enter into an agreement with Sport Tech Construction Corp. for Project #3619 Nathaniel Ely Elementary School Basketball Court Improvement for a sum not to exceed \$129,800.00. Account #09166030-5777-C0321.**

E. HEALTH, WELFARE & PUBLIC SAFETY

- 1. Approve the installation of new street lights on Red Oak Lane on existing poles by Eversource and the addition of the lights to the city's account for electric lighting in the 4th Taxing District.**
- 2. Approve the installation of new street lights at or near 5 Steppingstone Rd on existing poles by Eversource and the addition of the lights to the city's account for electric lighting in the 4th Taxing District.**
- 3a. Authorize the Mayor, Harry W. Rilling, to execute any and all documents necessary to apply for and accept grant funds from the State of Connecticut for the Preventive Health Block Grant in amount of \$65,898 for the period October 1, 2015 to September 30, 2018.**

Consent Calendar - continued

3b. Authorize the Mayor, Harry W. Rilling, to execute any and all agreements, documents, instruments or amendments as may be necessary to implement the Preventive Health Block Grant for the period October 1, 2015 to September 30, 2018.

4. Authorize the Purchasing Agent to issue a Purchase Order to Tasca Ford, Berlin CT, for the purchase of a 2016 Ford Super Duty F250 XLT crew cab truck for a total not to exceed \$42,265, to be paid from capital account # 09-1631105777C0486.

5. Authorize the Purchasing Agent to issue a purchase order to Crowley Ford, Plainville CT, for the purchase of a 2016 Ford F350 XL crew cab truck for a total not to exceed \$29,405.60, to be paid from capital account # 09-1631105777C0486.

COMMON COUNCIL COMMITTEES:

C. LAND USE AND BUILDING MANAGEMENT

1. Authorize the Mayor, Harry W. Rilling, to execute an agreement with Astrum Solar, LLC d/b/a Direct Energy Solar to promote installation of solar energy systems with Norwalk homeowners and small businesses under "The Norwalk Solar Challenge" program. Direct Energy Solar will be responsible for all marketing costs and provide the City with a sample solar photovoltaic system at no cost to the City (location to be determined). Agreement period shall be for one year.

Mr. Bonenfant reviewed the background on the item and noted the process of interviewing several firms throughout the RFP process. He spoke on the goal of recommending a firm to partner with the City in a solar marketing approach for residents.

Mr. Kydes referred to the supporting documentation and outlined the goals of the Mayor's Energy Task Force to increase public awareness of benefits of solar energy and to encourage installation of photovoltaic systems. He explained that they reached out to Purchasing for RFP for companies to collaborate with the City on the marketing of solar panel installation to vet the firms to provide a no fault endorsement measure for protection of residents.

Mr. Kimmel suggested that the details be further documented on the RFP and vendor selection and that the item be tabled. There was clarification on the date for the meeting and it was recommended for it to be sent back to Committee. It was agreed that the recommended action was for it to be sent back to Committee for further review.

**** MR. KIMMEL MOVED TO SEND THE ITEM BACK TO COMMITTEE FOR FURTHER REVIEW AND EVALUATION.
** MOTION PASSED UNANIMOUSLY.**

C. PLANNING

1. Approve the Redevelopment Agency's proposed modifications to the Reed Putnam Urban Renewal Plan, as they relate to parcel 1, 2 and 4 of the plan area, inclusive of the modifications to the design guidelines for these parcels.

Mr. Hempstead referred to the supporting documents and noted that this was required as part of the land use approval process for the development.

**** MR. HEMPSTEAD MOVED TO APPROVE THE REDEVELOPMENT AGENCY'S PROPOSED MODIFICATIONS TO THE REED PUTNAM URBAN RENEWAL PLAN, AS THEY RELATE TO PARCEL 1, 2 AND 4 OF THE PLAN AREA, INCLUSIVE OF THE MODIFICATIONS TO THE DESIGN GUIDELINES FOR THESE PARCELS.**

**** MOTION PASSED UNANIMOUSLY.**

2. Approve modifying the conditions of approval associated with the Conceptual Master Site Plan (CMSP) as submitted by Norwalk Land Development, LLC and approved by the Common Council on October 6, 2015.

Mr. Hempstead reviewed the background on the item and referred to supporting documentation. He noted that as stated earlier during public comments, part of the approval, is an unprecedented condition and stipulation that the Council and an architectural firm will have a role in how the area beneath the overpass looks to pedestrians. He said he agreed with Mr. Cafero that engaging the Council in design review is unprecedented, and a precedent--it's the first time we've had a mall of a million square feet, and the first time we've ever built over a public right-of-way in a public street.

There was discussion on the amendment and comments of support by the Council members.

Mr. Kimmel said he wanted to echo comments made by Mr. Hempstead and that he supports the amendment. He noted that the Council won't micromanage the design review of the overpass area, and when we talk about design, we're talking about connectivity, so that the mall doesn't become a barrier to different parts of the city.

Mr. McCarthy noted that the overpass is the front door to the Mall, and it is important that it is a good one. He commended the Committee for the hard work in getting this done on time, and it is the appropriate decision.

Mr. Hempstead explained that there was modified language of the proposed design review process, and read the following amendment to the last paragraph of the Condition Modification Action, as follows:

(Highlighted areas indicate inserted language)

****NOTE: MODIFICATION REVISED EXHIBIT 1 CMSP AS APPROVED BY THE COMMON COUNCIL**

Condition Modification Action

ACTION:

Approve modifying the conditions of approval associated with the Conceptual Master Site Plan (CMSP) as submitted by Norwalk Land Development, LLC and approved by the Common Council on October 6, 2015. The following condition shall be deleted:

Reduce the massing above North Water Street – The proponent will remove all parking from the easement area and reduce the building area above North Water Street in order to shorten the length of the covered pedestrian area at grade. Minimal travel lanes to the intended parking resources to the north and south of the site will be accommodated in the public easement area.

The following conditions shall be included:

North Water Street – The CMSP reflects a maximum of 303' linear feet of development area above North Water Street. The opening through the project in the easement area of 31' linear feet for the purpose of providing natural light is considered an architectural feature which is not part of the ascribed maximum linear feet of development allowed in the easement area.

*North Water Street Pedestrian Areas – The Redevelopment Agency will contract with a planning /architectural firm to collaborate with GGP regarding the final design of the area under the overpass visible to pedestrians. **The selection of said firm shall be advanced to the Common Council for approval prior to the execution of the contract by the Redevelopment Agency.** Said collaboration shall commence immediately upon approval of the LDA/CMSP and the Urban Renewal Plan, by both the Common Council and Redevelopment Agency. As part of the Review process the firm hired will issue a technical memo to the Common Council and the Redevelopment Agency. That memo will be filed with the Common Council and Redevelopment Agency for action within fifteen (15) business days of submission of the final design of the underpass area by GGP to the firm. **GGP will endeavor to provide said firm with the proposed design plans at approximately 25%, 50% and 75% and 100% completion.** If approval of the final design of this area is recommended by said firm neither the Common Council nor Redevelopment will unreasonably withhold such approval. No action by either body within fifteen (15) business days of the firm's memo being filed with them will be considered an approval.*

**** MR. HEMPSTEAD MOVED TO APPROVE THE ABOVE AMENDMENT TO THE CONDITION MODIFICATION ACTION.**

**** MOTION PASSED UNANIMOUSLY.**

**** MR. HEMPSTEAD MOVED TO SUSPEND THE RULES TO ADD AN ITEM TO THE AGENDA: AN AMENDMENT TO THE LDA PLAN.**

**** MOTION PASSED UNANIMOUSLY.**

AMENDMENT TO THE LDA PLAN

An amendment to the LDA Plan, noted below, on pages 11-12 Section 14, where the word “Zoning” was removed.

CIRCULATOR. The Redeveloper shall participate in the community circulator program that is being proposed as a result of the Project and surrounding projects by making a one time lump sum contribution. The Redeveloper’s required up-front contribution to the circulator program shall be limited to a single up-front payment in the amount of \$550,000.00 to be applied only toward transportation improvements in the area of the Project and shall be held in the Project Operating Account. The contribution shall be made by the Redeveloper upon receipt of **Final Land Use Approvals. The community connectivity plan for the Project is attached hereto as Attachment Four to this Amendment #4.**

**** MR. HEMPSTEAD MOVED TO APPROVE THE ABOVE AMENDMENT TO THE LDA PLAN.**

**** MOTION PASSED UNANIMOUSLY.**

Mayor Rilling thanked Council members and GGP for working so diligently to reach agreement on the overpass and noted that many robust discussions were held but to get it done right takes time to make it’s vetted properly. He added that this is an amazing project, a turning point for Norwalk, and we’re going to see some wonderful things as a result.

D. CORPORATION COUNSEL

1. Proposed revisions to Demolition Delay Ordinance. (See attached red-line copy of Ordinance. Underlines are proposed additions and strike-outs are deletions.)

Ms. O’Toole Giandurco spoke in support of the amendment and thanked Mr. Westmoreland for his work on addressing the anonymous complaints that were involved on property demolitions. She noted that the Committee has worked hard this year and have passed ten ordinance amendments this year, and thanked all involved for their work.

Mr. Bonenfant noted that the Ordinance Committee had done due diligence in the review and development of the amendment and he was in full support.

**** MS. O’TOOLE-GIANDURCO MOVED TO APPROVE THE PROPOSED REVISIONS TO DEMOLITION DELAY ORDINANCE AS SUBMITTED.**

**** MOTION PASSED UNANIMOUSLY.**

MOTIONS POSTPONED TO A SPECIFIC DATE – none

IX. SUSPENSION OF RULES – As noted on page 9 after Planning Committee Item VII.C2.

**COMMON COUNCIL
NORWALK, CONNECTICUT**

**OCTOBER 27, 2015
REGULAR MEETING MINUTES**

X. ADJOURNMENT

**** MR. MCCARTHY MOVED TO ADJOURN.
** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:35 p.m.

Respectfully submitted,
M. Knox;
Telesco Secretarial Services

ATTEST _____
Donna King, City Clerk Date: