

Common Council Actions

FEBRUARY 22, 2005

NORWALK, CONNECTICUT 8:00 PM EST, 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 22, 2005, in the Common Council Chambers, City Hall, 125 East Avenue, Norwalk, Connecticut. The Mayor Alex A. Knopp called the meeting to order at 8:05 pm and lead the assembly into the Pledge of Allegiance.

I. ROLL CALL

Betsy Bain Bruce Kimmel
Kenneth Baker Richard McQuaid
Fred Bondi Matthew Miklave
Michael Coffey (8:08pm) Jeanette Olmstead-Sawyer (absent)
Carvin Hilliard Kevin Poruban
Douglas Hempstead Douglas Sutton
William Krummel Peter Wien
Leona Williams

There were thirteen (13) members present at Roll Call.

II. ACCEPTANCE OF THE MINUTES

A. Regular Meeting – February 8, 2005

**** MR. BONDI MOVED APPROVAL OF THE MINUTES OF FEBRUARY 8, 2005 AS AMENDED.**

Mr. Coffey joined the meeting at 8:08 pm.

The following correction was made to Page 7, Item VII E Personnel Committee: Mr. Sutton said that in anticipation of the many and varied contractual and on-going legal issues expected to continually come before the City, we need additional professionals with expert legal skill-sets in order that our Law Department and our City Government continue to function efficiently and effectively.

** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

III. PUBLIC PARTICIPATION

No members of the public wished to speak this evening.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

Resignation

Mayor Knopp announced the resignation of Alonzo Virgil from the Fair Housing Advisory Commission.

Reappointments

Mayor Knopp put forth the name of Burton Shatz to be reappointed to the Parking Authority. He noted that Mr. Shatz is an architect and his design skills are an asset on the authority and that he represents the city well.

** MS. BAIN MOVED TO REAPPOINT BURTON SHATZ TO THE PARKING AUTHORITY.

** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

Appointments

To be appointed to the Human Relations Commission, Mayor Knopp suggested the name of Vicky Su adding that she is a professional businessperson and is a member of the Chinese/American Association in Fairfield County.

** MR. PORUBAN MOVED TO APPOINT VICKY SU TO THE HUMAN RELATIONS COMMISSION.

** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

Mayor Knopp indicated that Michael Sweeney has a distinguished professional career in investment issues that will be beneficial in the long-term decisions of the Pension Board. He added that although Mr. Sweeney is employed by Wachovia Securities they do not have any contracts with the city so there would be no conflict of interest.

** MR. PORUBAN MOVED TO APPOINT MICHAEL SWEENEY TO THE PENSION BOARD OF TRUSTEES.

** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

B. REMARKS

Mayor Knopp noted that Mr. Hempstead's mother is in hospital – he wished her well. Mr. Hempstead thanked the Mayor.

V. COUNCIL PRESIDENT

Mr. Bondi noted that Mr. Sutton's brother in law had passed away and expressed his sympathy.

A. CONSENT CALENDAR

** MR. BONDI MOVED APPROVAL OF THE CONSENT CALENDAR AS PRESENTED.

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

B. CORPORATION COUNSEL EXECUTIVE SESSION

1. RESOLVED, that the claim of CL&P v. City of Norwalk et al be settled in the sum of Three Thousand Two Hundred and Fifty Dollars and No Cents (\$3,250.00) to be contributed by the City of Norwalk and that the City Comptroller is hereby authorized to issue a City Draft in said amount.

VII. COMMON COUNCIL COMMITTEES

A. FINANCE COMMITTEE

2. For informational purposes only: Monthly Tax Collector's Report Dated December 31, 2004.

3. For informational purposes only: Narrative on Tax Collections dated February 10, 2005.

4. Authorize the Purchasing Agent to issue purchase orders to Dell Computer Corporation for 20 personal computer workstations for an amount not to exceed \$20,757.00. Acct. # 09050600-5777-C0286

5. Receive Comprehensive Annual Financial Report and related reports for the year ended June 30, 2004.

6. Approve resolution with respect to the authorization, issuance and sale of not exceeding \$45,000,000 City of Norwalk General Obligation refunding bonds, series 2005.

A. RECREATION AND PARKS & CULTURAL AFFAIRS COMMITTEE

1. Authorize the Mayor, Alex A. Knopp, to execute an agreement with the Norwalk Karting Association to use Calf Pasture Beach for their annual racing season on the following Saturday's: October 1,8,15,22,29, November 5,12,19 with rain dates being on Sunday's.

2. Authorize the Mayor, Alex A. Knopp, to execute an agreement with the Rowayton PTA for their Annual Spring Carnival to be held at the Rowayton School field on Friday, April 29th, 5:00 P.M. -10:00 P.M., Saturday, April 30th, 11:00A.M.-6:00P.M. Set up for the event will take place on Wednesday, April 27, 2005 and break down on Sunday, May 1, 2005. Estimated attendance 500.

3a. Authorize the Mayor, Alex A. Knopp, to execute an agreement with LaCasita Restaurant, Beatriz C. Ruiz for their Celebration of Columbia's Independence in Veterans Park on Sunday, July 17, 2005 from 6:00A.M.-6:00P.M. Estimated attendance 500+

3b. Approve the use of the Showmobile by LaCasita Restaurant, Celebration of Columbia's Independence in Veterans Park on July 17, 2005.

4. Authorize the Mayor, Alex A. Knopp, to execute an agreement with the Leukemia and Lymphoma Society to use Calf Pasture Beach for the "Light the Night Walk" to be held Thursday, September 29, 2005 from 4:00 P.M. to 9:00P.M. Estimated attendance 500+.

5. Approve the use of the grounds around the Lockwood Mathews Mansion Museum by the Lockwood Mathews Mansion Museum of Norwalk, Inc. for their annual Antique Show to be held Friday evening, October 28, 2005, Saturday, October 29th from 10:00 A.M. - 5:00 P.M. and Sunday, October 30th from 11:00 A.M. - 5:00P.M. Estimated attendance 500+

Mr. Hilliard left the Council Chambers.

B. LAND USE AND BUILDING MANAGEMENT COMMITTEE

1. Authorize the Mayor, Alex A. Knopp, to execute an agreement with Project Management Team Northeast, Inc. to provide design services for the installation of security monitoring system at City Hall for a total not to exceed \$5,500.00 (including \$500 for reimbursable expenses). Acct. # 09037100 5777 C0264

C. ORDINANCE COMMITTEE

1. Amend Norwalk Code, Chapter 74, Article I, § 74-4 Stickers for certain residents And property owners.

D. PUBLIC SAFETY AND EMERGENCY PREPAREDNESS COMMITTEE

1. Authorize the purchase of fitness center equipment by the Police Department with federal asset forfeiture funds for an amount not to exceed \$17,000.00.

Mr. Hempstead noted for the record that he is on the Board of Directors of the Matthews Mansion House.

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

B. OTHER GENERAL COUNCIL BUSINESS

There was none this evening.

Mr. Hilliard re-joined the meeting.

VI. REPORTS: DEPARTMENTS, BOARD AND COMMISSIONS

A. BOARD OF ESTIMATE AND TAXATION

1. RESOLVED, that a sum not to exceed \$13,500 be and the same is hereby transferred from Contingency to the Registrar of Voters Department to pay for a shortfall in the temporary and part-time wage accounts, and other machinery and equipment account due to the 2004 Presidential Election. Acct. No. Various

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

Mr. Bondi recused himself and exited the Council Chambers.

Mr. Miklave asked if a representative from the Registrar of Voters was present.

Mayor Knopp indicated that Mr. Hamilton (Finance Director) was present to answer any questions.

Mr. Miklave confirmed that the overage from the Registrar of Voters was a result of the 2004 Presidential Elections and there were two components to this. One was regarding an invoice for an optical scanner and this was a timing issue.

Mr. Hamilton replied that this was accurate and this is an appropriation to get the funds back out of the fund balance.

Mr. Miklave referred to the second issue of the temporary wage account and asked what had caused this.

Mr. Hamilton said that leading up to the election the voter registration was heavier than usual and they needed to have more staff on hand; costs were incurred during Election Day but most of them were incurred during the run up.

Mr. Miklave asked if the Finance Department had received prior notification of the overage.

Mr. Hamilton replied that they did not receive an estimate but the Registrar of Voters had notified them of an overage in early October 2004.

Mr. Miklave commented that there had been problems in the past and that safeguards had been put into place – he asked if Mr. Hamilton was satisfied with the safeguards.

Mr. Hamilton said he was satisfied with the safeguards that had been put into place but added that he would liked to have received an estimate in advance so they would know how much they would be looking at. He added that they did go back and check the numbers against those in the past and there was nothing particularly unusual with what had occurred.

Mr. Kimmel asked if the number of people voting exceed those in the 2000 election.

Mr. Hamilton said that he did not have the exact numbers with him, but he approximated the figure to be 800 new registered voters. This number is typical in an election year and slightly higher than 2000.

Mayor Knopp indicated that because this is a special appropriation it would require ten members to vote in favor for it to pass.

**** MOTION PASSED UNANIMOUSLY BY A SHOW OF HANDS.**

Mr. Bondi rejoined the meeting.

VII. COMMON COUNCIL COMMITTEES

E. FINANCE COMMITTEE

1. Accept and Approve the Report of the Claims Committee Dated February 10, 2005.

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

Mr. Miklave recused himself and exited the Council Chambers.

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

Mr. Miklave rejoined the meeting.

B. RECREATION AND PARKS & CULTURAL AFFAIRS COMMITTEE

5. Authorize the Mayor, Alex A. Knopp, to execute an agreement with the Round Hill Highland Games, Inc. for a date change from the original request to hold the Round Hill Highland Games to Saturday, July 2, 2005. Set up would take place June 30th at 7:00 am with breakdown by 9:00 A.M. on Monday, July 4th 2005. Estimated attendance 1000+.

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

Mr. Bondi stated that it was a really great pleasure to have the Highland Games come back to Norwalk. He said the date said is July 2, 2005 and although they had much discussion about this during committee they agreed on the date. He said they anticipate a tremendous crowd of people and that it is a great asset to the community.

Mayor Knopp also thanked the representatives from the Highland Games (in the audience) saying that they were very much missed in the city last year; he added that he was looking forward to the them games and hoped they would be very successful.

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

C. LAND USE AND BUILDING MANAGEMENT COMMITTEE

2a. Authorize the Mayor, Alex A. Knopp, to execute a contract with Merritt Contractors, Inc. for the installation of main circulation desk, internet sign-up desk, reference desk and children's library desk at the Belden Main Library for a total not to exceed \$79,000.00. Account number and source of funding shall be as per Special Appropriation approval.

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

Mr. Krummel indicated that this is a set of very needed desks as the existing ones are over twenty-three years old and do not meet ADA requirements. He explained the requested source of funds for the Item acknowledging that the price does seem to be high at \$20,000 a desk. He explained that all of the bids were very close and the lowest bidder was Merritt Contractors and that he would like to see this go ahead noting that a delay would not result in a reduction of cost. Mr. Krummel noted that he had John Hawley and Alan Lo look at this project and they agreed that this is the best they can do. He emphasized that this Item be approved this evening.

Mr. Bondi noted that this item did not go through committee and said it should be tabled and sent back.

**** MR. BONDI MOVED TO REFER THE ITEM BACK TO COMMITTEE.**

Mayor Knopp indicated that this Item had not gone through committee because a quorum had not been present.

Ms. Bain asked if there was a necessity to move ahead with this or if there was time to send it back to committee.

Frank Farrell (Library) said he was not aware of the time line. He added that they had gone through every step to assure that the costs of the desks were the best they could do.

Mr. Hamilton indicated that he had enquired about the Item – the Planning Commission has approved it and the next step is for it to go on the Council agenda. He added that he had spoken with Alan Lo regarding the timing sequence and that there would not be a problem to hold it as the bid price can still be held.

Mayor Knopp asked Mr. Krummel if he hold a special meeting of the Land Use Committee before the week of March 8, 2005. Mr. Krummel replied that he could.

Mr. Kimmel asked Mr. Krummel about the night of the meeting and who had been present.

Mr. Krummel explained that he had been the only member present and added that the Library Director had also been there to answer any questions. They had discussed the Item at length.

Mr. Kimmel said he would vote no on sending this Item back to committee, as he trusted Mr. Krummel's views. He said he did not want this to become a habit of sending Items back to committee due to lack of a quorum, he noted that they should be careful about what they are getting into.

Ms. Bain indicated that she too would vote against the Item being sent back to committee, as there was someone here this evening from the library to answer questions.

Mr. Hempstead commented that not having a quorum is a problem and is an issue that the Council should tackle. If there is a rule it should apply to all, they should not pick and choose.

Mr. Bondi stated that the reason he had suggested it go back to committee is that the price for the desks seems excessive and they should be able to cut corners wherever possible to bring the price down. He indicated that the committee should meet again to discuss the price of the four desks.

Mr. Miklave said he would be supporting the Item to refer back to committee. He noted that he did not have a problem with the Chair putting things on the Council agenda without a vote but the Council does have the power to send this back; those are the rules. He indicated that he could see nothing inappropriate about sending the Item back to allow members to discuss it further.

Mr. Krummel referred to the engineering study in the back up material noting that the bids were based upon this. He said he did not feel that the committee could do much more to reduce the costs and by referring it back wouldn't result in a reduction.

**** MOTION TO REFER THE ITEM BACK TO COMMITTEE FAILED: EIGHT VOTED OPPOSED (MR. HEMPSTEAD, MR. MCQUAID, MR. WIEN, MR. BAKER, MR. SUTTON, MR. KIMMEL, MS. BAIN, MR. KRUMMEL); SIX VOTES IN**

FAVOR (MR. MIKLAVE, MR. HILLIARD, MR. PORUBAN, MR. BONDI, MR. COFFEY, MS. WILLIAMS) BY A SHOW OF HANDS.

Mayor Knopp asked if there was further discussion on the motion of Mr. Krummel to approved item VII.C.2a.

** MOTION PASSED TWELVE IN FAVOR, TWO VOTES OPPOSED (MR. BONDI, MS. WILLIAMS)

2b. Authorize the Mayor, Alex A. Knopp, to execute a contract with Westport Electric Company, Inc. for the installation of electrical work and data connection for the circulation desks at the Belden Main Library for a total not to exceed \$26,436.00. Account number and source of funding shall be as per Special Appropriation approval.

** MR. KRUMMEL MOVED APPROVAL OF THE ITEM.

Mr. Krummel noted that the electrical work is required to have the desks activated and to get the rest of the equipment up to date.

Mr. Farrell replied that the electrical work is extensive and would mean having electrical cable boxes on the main floor, to do this they would need to go through the floor to connect the data lines.

Mr. Poruban asked for a breakdown of the telecommunication lines and the electrical cables.

Mr. Farrell said he did not have that information.

Mr. Poruban asked if the telecommunication work had been put out to bid separately.

Mayor Knopp indicated that this was not a fair question for Mr. Farrell.

** MOTION PASSED TWELVE VOTES IN FAVOR, TWO VOTES OPPOSED (MR. BONDI, MR. PORUBAN) BY VOICE VOTE.

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 THE RULES

There were none this evening.

XI. ADJOURNMENT

** MR. HILLIARD MOVED TO ADJOURN.

** MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

The meeting was adjourned at 8:45 pm.

ATTEST: _____

Pam Stark, City Clerk

