



CITY OF NORWICH
CONNECTICUT

AGENDA – MEETING OF THE COUNCIL OF THE CITY OF NORWICH
January 19, 2016
7:00 PM

PRAYER

PLEDGE OF ALLEGIANCE

CITIZEN COMMENT GENERAL (30 Minutes)

PUBLIC HEARINGS

1. AN ORDINANCE APPROPRIATING \$800,000 FOR SELF CONTAINED BREATHING APPARATUS PACKS FOR THE CITY OF NORWICH FIRE DEPARTMENTS AND AUTHORIZING THE ISSUE OF \$800,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

SECOND READING AND ACTION ON THE PROPOSED ORDINANCES LISTED ABOVE

PETITIONS AND COMMUNICATIONS

1. Audit presentation from Blum Shapiro PC.
2. Oral report from J.P. Mereen and Geoffrey Steadman regarding 1 Terminal Way boat launch.

ACTING CITY MANAGER REPORT

CITIZENS COMMENT ON RESOLUTIONS

NEW BUSINESS-RESOLUTIONS

1. Relative to an appointment to the Mohegan Park Improvement and Development Advisory Committee.
2. Relative to an appointment to the Board of Public Utilities Commissioners and Sewer Authority.
3. Relative to an appointment of a regular member and an alternate member to the Ethics Commission.
4. Relative to Blum Shapiro PC being appointed to perform 2015-2016 audits.

5. Relative to the aggregate sums representing property and motor vehicle taxes on the Grand List October 1, 2012 being transferred to the suspense account.
6. Relative to a regular appointment to the Mohegan Park Improvement and Development Advisory Committee.
7. Relative to Connecticut Department of Energy and Environmental Protection "America-the-Beautiful" grant program application for the purpose of advancing urban forestry.
8. Relative to the dissolution of the Fountain Street Committee of Sale.
9. Relative to the appointment of a City Manager.

Betsy Bannard

City Clerk

PUBLIC HEARING #1

AN ORDINANCE APPROPRIATING \$800,000 FOR SELF CONTAINED BREATHING APPARATUS PACKS FOR THE CITY OF NORWICH FIRE DEPARTMENTS AND AUTHORIZING THE ISSUE OF \$800,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH:

Section 1. The sum of \$800,000 is appropriated for the purchase of self-contained breathing apparatus (“SCBA”) packs and warranties related thereto for the City of Norwich fire departments and such additional related improvements and equipment as may be accomplished within said appropriation (collectively, “Equipment”), and for administrative, consulting, advertising, printing, legal and financing costs to the extent paid therefrom. Said appropriation shall be in addition to grant funding and all prior and future appropriations for said purpose.

Section 2. The total estimated cost of the Equipment is \$800,000. No portion of the Equipment cost is expected to be paid from sources other than the proposed bond issue. The estimated useful life of the Equipment is 10 years. The Equipment is a general benefit to the City of Norwich and its general governmental purposes.

Section 3. To meet said appropriation \$800,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the tenth (10th) year after their date, or such later date as may be allowed by law. Said bonds may be issued in one or more series as shall be determined by the City Manager and the Comptroller, and the amount of bonds of each series to be issued shall be fixed by the City Manager and the Comptroller, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the City Manager and the Comptroller, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the City Manager and the Comptroller, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the City Manager and the Comptroller, and be approved as to their legality by Pullman & Comley, LLC, Bond Counsel. They shall bear such rate or rates of interest as shall be determined by the City Manager and the Comptroller. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly

complied with, that such bond is within every debt and other limit prescribed by law, that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and shall be paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds, annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the City Manager and the Comptroller in accordance with the requirements of the General Statutes of Connecticut, as amended. In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the City Council. In order to meet the capital cash flow expenditure needs of the City, the City Manager and Comptroller are authorized to allocate and reallocate expenditures incurred for the Equipment to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes and Equipment herein authorized.

Section 4. The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law.

Section 5. Said bonds shall be sold by the City Manager and Comptroller in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals, auction or similar process, at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City.

Section 6. The City Manager and the Comptroller are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the City Manager and the Comptroller, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by the City Manager and the Comptroller, be certified by a bank or trust company designated by the City Manager and the Comptroller pursuant to Section 7-373 of the General Statutes of Connecticut, as amended, and be approved as to their legality by Pullman & Comley, LLC, Bond Counsel. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and shall be paid from property taxation to the extent not paid from other funds available for the payment thereof. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Equipment. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 7. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The City (the “Issuer”) hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the “Regulations”), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations (“Bonds”) authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 8. The City Manager and Comptroller are hereby authorized to exercise all powers conferred by Section 3-20e of the General Statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

Section 9. It is hereby found and determined that the issue of all, or a portion of, the bonds, notes or other obligations of the City authorized to be issued herein as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation, is in the public interest. The City Manager and the Comptroller are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal governments pursuant to law including but not limited to any “tax credit bond,” or “Build America Bonds” including Direct Payment and Tax Credit versions.

Acting City Manager John Bilda

RESOLUTION #1

BE IT RESOLVED that the Council Member listed below, be, and hereby is, appointed to the Mohegan Park Improvement and Development Advisory Committee for a term to expire on December 5, 2017.

Ald. Joanne Philbrick (R)

Mayor Debercy Hinchey

RESOLUTION #2

BE IT RESOLVED that the following be appointed as a **member** to the Board of Public Utilities Commissioners and Sewer Authority for a term to expire on March 01, 2019 or until a successor is appointed;

Steven Becker (R)

President Pro Tem Peter Nystrom
Alderman Stacy Gould
Alderman H. Tucker Braddock

RESOLUTION #3

BE IT RESOLVED that the following be appointed as a **regular member** to the Ethics Commission for a term to expire on October 18, 2017 or until a successor is appointed;

Robert Michael Ballard (U)

BE IT RESOLVED that the following be appointed as an **alternate member** to the Ethics Commission for a term to expire on October 18, 2017 or until a successor is appointed;

Gregory Schlough (D)

President Pro Tem Peter Nystrom
Alderman Stacy Gould
Alderman H. Tucker Braddock

RESOLUTION #4

RESOLVED, that the accounting firm of Blum Shapiro PC be and hereby is, appointed to perform the regular general audit for the City of Norwich (including the Board of Education, Department of Public Utilities, and Community Development) for fiscal year 2015-2016.

Acting City Manager John Bilda

RESOLUTION #5

WHEREAS, there is on file in the Tax Collector's Office the names and addresses of the persons against whom motor vehicle taxes and personal property taxes on the Grand Lists up to and including 2012, were levied and the reasons why the Tax Collector believes such taxes are uncollectible; and,

WHEREAS, in accordance with the Tax Collector's recommendation the aggregate sum of \$315,135 is the total outstanding motor vehicle tax on the Grand Lists up to and including 2012, to be transferred to the suspense tax book and \$81,160 is the total outstanding personal property tax on the Grand Lists up to and including 2012, to be transferred to the suspense tax book; and,

WHEREAS, nothing herein contained shall be construed as an abatement of any tax transferred to the suspense tax account, but any such taxes, as it shall have been increased by interest, penalty fees and charges may be collected; and

WHEREAS, the City has contracted with Rossi Law Offices to pursue collection of the aforesaid accounts;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that the following aggregate sums representing personal property taxes of \$315,135 and motor vehicle taxes of \$81,160 on the Grand Lists up to and including 2012, be and the same hereby are transferred to the suspense account.

Acting City Manager John Bilda

RESOLUTION #6

BE IT RESOLVED that the below named be appointed as **regular member** of the Mohegan Park Improvement and Development Advisory Committee with a term to expire on December 31, 2016 or until a successor is appointed:

Beryl Fishbone (R)

President Pro Tem Peter Nystrom
Alderman Stacy Gould
Alderman H. Tucker Braddock

RESOLUTION #7

WHEREAS, the State of Connecticut Department of Energy and Environmental protection (DEEP), Division of Forestry, through the America the Beautiful (ATB) Grant Program makes funds available for the purpose of advancing urban forestry throughout the state; and

WHEREAS, the application for the ATB Grant requires the approval of the municipality's legislative body.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that, Acting City Manager John Bilda is empowered to execute and deliver in the name and on behalf of this City Council a certain contract with the Department of Energy and Environmental Protection of the State of Connecticut for the fulfillment of the America-the-Beautiful grant, and is authorized to affix the Corporate Seal; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that a copy of this signed resolution shall be forwarded to the DEEP as part of the city of Norwich's application.

Mayor Debercy Hinchey

RESOLUTION #8

WHEREAS, the Council of the City of Norwich, by resolution adopted October 21, 2013, noted that the city was the owner of properties on Jail Hill identified as 3-5 Fountain Street, 9 Fountain Street and 9½ Fountain Street, all located near the intersection of Fountain Street and School Street; and

WHEREAS, the council expressed its opinion that the existing structure at 9½ Fountain Street was in significant disrepair and should be demolished and that the property at 9 Fountain Street was in disrepair but capable of being renovated; and

WHEREAS, by this resolution the council appointed a committee to be known as the Fountain Street Committee of Sale ("Committee") to prepare guidelines for the redevelopment or other reuse of the properties, to solicit requests for proposals for the rehabilitation, redevelopment or reuse of the properties, to set a minimum bid for the properties in consultation with city officials, to select a preferred developer or preferred developers, and to make recommendations to the Council of the City of Norwich regarding the same; and

WHEREAS, said Committee fulfilled the directive of the Council of the City of Norwich and recommended the city select Gil and Barbara Jordan as preferred developer for the properties at 3-5, 9 and 9½ Fountain Street, which recommendation the council approved by resolution adopted November 3, 2014, contingent upon the Jordans entering into a satisfactory Development Agreement; and

WHEREAS, On March 24, 2015 the city and the Jordans entered into such a Development Agreement pursuant to which Jordans demolished the structure at 9½ Fountain Street and rehabilitated the building located at 9 Fountain Street; and

WHEREAS, on September 28, 2015 the City of Norwich Building Official issued a Certificate of Occupancy for the building at 9 Fountain Street permitting it to be used as a two-family residence; and

WHEREAS, the City of Norwich conveyed said properties to Gil and Barbara Jordan on March 24, 2015; and

WHEREAS, the Fountain Street Committee of Sale has completed the project assigned to it by the Council of the City of Norwich

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that the Fountain Street Committee of Sale be and hereby is relieved of further responsibility and discharged of future obligation with respect to said properties, and the Committee is dissolved with the thanks and appreciation of the City of Norwich.

Alderman H. Tucker Braddock

RESOLUTION #9

RESOLVED that _____ be, and he hereby is, appointed as City Manager for the City of Norwich pursuant to Chapter VI, Section I, of the Charter of the City of Norwich and in accordance with the terms of his employment contract having an effective date of _____, with his service as City Manager to commence on _____.

AND, BE IT FURTHER RESOLVED that Mayor Debercy Hinchey be, and she hereby is, authorized and directed to execute said agreed employment contract with _____.

Mayor Debercy Hinchey