

A regular meeting of the Council of the City of Norwich was held September 19, 2016 at 7:00 PM in Council Chambers. Present: Mayor Hinchey, Aldermen Nystrom, Philbrick, Braddock, Gould and Martin. City Manager Salomone and Corporation Counsel Michael Driscoll were also in attendance. Ald. Nash arrived at 7:30 pm due to a work commitment. Mayor Hinchey presided.

Ald. Martin read the opening prayer and Ald. Gould led the members in the Pledge of Allegiance.

Mayor Hinchey called for citizen comment.

Susan Masse, 1 Sachus Terrace, spoke in favor of rehabbing the Reid & Hughes building stating it is the fiscal responsibility of the city to keep this historic building.

Jim Quarto, 25 Elmwood Ave, talked about the various projects the City has done and asked to pull together all the reports and create the vision of Norwich. He asked to save and enhance the historic downtown by saving the Reid & Hughes. He asked to stabilize it.

Marie Jolicoeur, 161 Broadway, asked to preserve the Reid & Hughes and develop it into apartments. She asked to save the building.

Bill Champagne, President of The Norwich Historical Society, talked about the concern of a lawsuit if the Reid & Hughes building was demolished. He also brought up the point that various agencies would help with redevelopment of this project.

Sue Augustyniak, 101 Broad St, stated she was dismayed by the thought of tearing down the Reid & Hughes. She asked to take the risk and stabilize the building.

Gil Skillman, 101 Broad St, spoke in favor of preservation of the Reid & Hughes. He cited other buildings that were torn down and could have been preserved. He asked how best to use the money and strongly recommended going forward to save the building and not leave a hole.

Brian Kobylarz, 16 Hobart Ave, expressed taxpayers concerns that if there could be an optional resolution which allows the potential buyer to pay the cost back to the City if they backed out.

Rodney Bowie, 62 Roosevelt Ave, stated it is a highly inflated cost to fix the Reid & Hughes building and doesn't want to see an empty hole. He suggested police should teach young children to respect the police.

David Crabb, 47 Prospect St, talked about dollars and non-performing loans and how they cause inflation.

Sam Browning, 671 Scotland Rd, asked about the purchase price on bonds and hopes the Council doesn't give up this control.

Caroleen Frey, 9-11 Indian Hill Rd, asked to pin the hopes on the historic assets of the downtown and revitalize Norwich's historic assets.

Lola Bradford, 109 Sachem St Apt 1, asked the Council to have someone inspect apartments that are not section 8.

Mayor Hinchey declared citizen comment closed

Upon motion of Ald. Martin, seconded by Ald. Gould, it was unanimously voted to accept the letter of resignation from Richard A. Caron Sr. from Dangerous Buildings Board of Review, and the other related committees thanking him for his service.

**City Managers Report:**



Established 1659  
City of Norwich  
Connecticut

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CITY MANAGER  
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**To:** Mayor Hinchey and members of the City Council  
**From:** John Salomone, City Manager  
**Subject:** City Manager's Report  
**Date:** September 19<sup>th</sup> 2016

On Wednesday September 7<sup>th</sup> the Mayor and I attended a meeting held by the City Planner Deanna Rhodes to discuss amendments to zoning regulations.

I then attended a meeting with the the Mayor, City Planner and Coporation Council to discuss the Waterfront project on Terminal Way.

Also that day I attended a meeting at the NPU confrence room to view a presentation on Norwich S&P Rating presented by the City's Comptroller Josh Pothier. This meeting is part of the process of obtaining a Bond Rating for this years debt issues.

On Thursday September 8<sup>th</sup> I joined a confrence-call with Superintendent Abby Dolliver and Athena Nagel of Norwich Public Schools to discuss possible changes in pensions for a barganing group at the Norwich Schools.

Later that day we met again at the Superintendent office to discuss reconciliation of financial reports.

On Friday September 9<sup>th</sup> and Saturday the 10<sup>th</sup> I held our 1<sup>st</sup> Goal Setting Meeting at the Mohegan Sun Convention Center. I would like to thank the Mohegan Sun Council again for generously allowing us the use on their Boardroom. And thank you to the Department Heads and City Council members who attended.

The Freedom Bell located at the David Ruggles Freedom Courtyard was rung by City Historian Dale Plummer on the 14<sup>th</sup> & 17<sup>th</sup> of this month for a tour bus from Maryland as they made their way through South Eastern Connecticut.

I have appointed Deputy Chief Patrick Daley as the new Police Chief. His formal oath of office will occur on Friday Septemeber 23<sup>rd</sup> at 3:00PM in the Council Chambers.

As most of you know, I have announced the appointment of the new Executive Assistant to the City Manager. Please welcome Jacquie Barbarossa. She will be transitioning into her new position over the next few weeks from Community Development.

Please find attached the Key Financial Indicators report for your viewing.

**City of Norwich  
Key Financial Indicators  
August 31, 2016**

The statistics below are as of August of the fiscal year listed.

Fiscal Year	General Fund Revenues			General Fund Salaries and Overtime			Health Insurance Fund			Workers' Compensation Fund		
	Actual	Budget	Percentage	Actual	Budget	Percentage	Assets	IBNR	Percentage	Assets	IBNR	Percentage
2014	98,721,496	115,906,191	81.66%	2,887,923	16,075,140	14.85%	957,988	1,377,187	72.54%	8,175,540	4,531,550	76.07%
2015	29,094,821	118,512,300	22.99%	2,438,898	16,297,560	14.96%	1,653,211	1,218,768	135.57%	3,262,181	4,531,550	74.22%
2016	42,312,312	121,124,409	34.12%	2,431,317	17,003,198	14.30%	2,209,972	952,538	236.99%	3,362,790	4,016,883	85.72%
2017	42,655,413	122,955,875	34.69%	2,186,233	16,606,687	14.33%	3,340,505	1,123,888	208.25%	8,528,601	4,261,384	82.81%
<b>What to look for</b>	Actual Revenues collected as a percentage of Budget should be greater than 32% at this point in the fiscal year.			Actual Salaries & Overtime Costs as a percentage of Budget should be less than 16.7% at this point in the fiscal year.			Assets should be greater than incurred but Not Reported (IBNR) estimated liability.			Assets should be greater than incurred but Not Reported (IBNR) estimated liability. The City has been building up the WC assets over a number of years.		
<b>Notes</b>	Revenue variances have historically had the greatest impact on the General Fund's Unrestricted Fund Balance (UFB).			By capturing both salaries and overtime for all General City departments, any savings from vacant positions are netted against any increased costs from retirement payouts or event-related overtime.			Although the assets change throughout the year, the IBNR is only measured at the fiscal year end.			Although the assets change throughout the year, the IBNR is only measured at the fiscal year end.		
<b>Comments for the Period</b>	Revenue collections are on target in total.			Salaries and Overtime are on target in total.			HIF assets are above IBNR levels.			WC assets are increasing, but the liability estimated at June 30, 2016 increased at a higher rate.		

Mayor Hinchey called for citizen comment on resolutions.

David Crabb, 47 Prospect St, spoke in opposition of resolution # 2 stating it is cited in the Connecticut General Statutes and the Charter, in opposition of resolution #3 stating there is no evidence to restore and opposition of resolution # 4 asking how much revenue will the City lose.

John Levangie, 85 Lawler Ln, spoke in favor of resolution #3 backing Ald. Nystrom.

Jeanne Long, 21 Chelsea Court, spoke on resolution # 3 asking to keep Dodd Stadium with a tax free status. She also supports resolution #1 speaking highly of the owners.

Mayor Hinchey declared citizen comment on resolutions was closed.

Upon a motion of Ald. Gould, seconded by Ald. Braddock, it was unanimously voted to adopt the following resolution introduced by Mayor Hinchey.

**WHEREAS**, These Guys Brewing Company LLC has requested permission to conduct an event on September 23, 2016 and September 24, 2016 which will involve the serving and consumption of alcoholic beverages on city property at a parking lot located on 82-84 Franklin Street immediately outside These Guys Brew Pub; and

**WHEREAS**, the event will commence at 8:00 p.m., September 23, 2016 and last until 1:00 a.m., September 24, 2016.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH** that, as required pursuant to section 13.14.2 of the Norwich Code of Ordinances, City Manager John Salomone be and hereby authorized and directed to grant Raymond J. Albert, Jr., Permittee and the These Guys Brewing Company LLC permission to use a portion of the abutting municipal parking lot for this purpose, subject their maintaining appropriate insurance coverage, adequate supervision, and their agreement to restore the premises to pre-event condition should a tent or other temporary structure be erected.

Upon a motion of Ald. Philbrick, seconded by Ald. Gould, it was unanimously voted to adopt the following resolution introduced by Mayor Hinchey.

**WHEREAS**, Connecticut General Statute §12-65b, et seq. permits any municipality, by affirmative vote of its legislative body, to enter into a written agreement with any party owning or proposing to acquire an interest in certain real property in such municipality fixing the assessment of the real property which is the subject of the agreement and all improvements thereon to be constructed if the improvements are for one of a number of uses listed in the statute and the fixing of the assessment shall be for a period of not more than seven (7) years provided the cost of such improvements is not less than Three Million (\$3,000,000) Dollars; and

**WHEREAS**, construction on the property at 154 Salem Turnpike commenced several years ago but the structure has not been completed, has been vacant for a number of years, has suffered damage from vandalism and weather damage and requires more than Three Million (\$3,000,000) Dollars in construction and other work as improvements to become viable; and

**WHEREAS**, a developer, 395 Properties, LLC, proposes to acquire the property and to make and finish improvements costing more than Three Million (\$3,000,000) Dollars in a timely fashion such that the building may be productively used; and

**WHEREAS**, the Council finds fixing the assessment for this property for a period of seven (7) years to be in the best interest of the City of Norwich.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH** that, it approves a satisfactory written agreement with 395 Properties LLC fixing the taxes on said property for a period of seven (7) years pursuant to a schedule prepared by the assessor, a copy of which is attached hereto as Exhibit A; and

**BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH** that City Manager John Salomone be and hereby is authorized and directed on behalf of the City of Norwich to enter into a written agreement satisfactory to him with 395 Properties LLC together with such other documents or agreements as may be necessary to cause a fixing of the assessment.

EXHIBIT A				
ASSESSMENT DEFERRAL - 154 SALEM TPKE				
G/L Yr	Orig Assm't	Year	Assessment Increase - % deferred	
10/1/2016	\$ 880,600			
10/1/2017	\$ 880,600	1	100%	
10/1/2018	\$ 880,600	2	100%	
10/1/2019	\$ 880,600	3	50%	
10/1/2020	\$ 880,600	4	40%	
10/1/2021	\$ 880,600	5	30%	
10/1/2022	\$ 880,600	6	20%	
10/1/2023	\$ 880,600	7	10%	

Upon motion of Ald. Braddock, seconded by Ald. Gould, it was unanimously voted to adopt the following resolution introduced by President Pro Tem Nystrom.

**WHEREAS**, Connecticut General Statute §12-541(a) imposes a tax of ten (10%) percent of the admission charge to any place of amusement, entertainment or recreation, but provides for a number of exemptions to this tax; and

**WHEREAS**, by action of the state legislature in 2006, events to be held at Dodd Stadium were added to the exempt list effective, November 1, 2006, which exemption was reversed as to Dodd Stadium in 2011 under Public Act 11-6; and

**WHEREAS**, certain other stadiums in Connecticut still enjoy an exemption from this admission tax; and

**WHEREAS**, in 2016 the legislature of the State of Connecticut amended Connecticut General Statute §12-541 to add Dunkin Donuts Park in Hartford and New Britain Stadium to the list of venues exempt from the tax and the legislature separately provided that a municipality may by ordinance, impose a surcharge on the admission charge, as defined in subsection 3 of section 12-540 of the General Statutes, for any event that is held at a facility located within a municipality; and

**WHEREAS**, the Council of the City of Norwich finds it to be in the best interest of the City of Norwich to request that its state representatives and state senator cooperate to submit legislation in 2017 to add Dodd Stadium to

the list of exempt venues recognizing that the successful passage of such legislation would permit the Council of the City of Norwich to consider whether to implement a five (5) % surcharge on admissions to events at Dodd Stadium

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH** that, City Manager John Salomone be and hereby is requested to write on behalf of the Council of the City of Norwich to the state representatives and state senator of the City of Norwich to express the opinion of the Council of the City of Norwich concerning this issue and to request that they submit and pursue such legislation to add Dodd Stadium to the list of exempt facilities and venues, with respect to the legislation proposed in this resolution.

Upon a motion of Ald. Philbrick, seconded by Ald. Braddock, it was unanimously voted to refer to the Commission on the City Plan, schedule a Public Hearing, second reading and action on Monday October 3, 2016 at 7:30 pm for the following ordinance introduced by Ald. Philbrick.

**WHEREAS**, Mohegan Park is a City of Norwich owned park used for various recreational activities; and

**WHEREAS**, the Council of the City of Norwich by resolution adopted July 2, 2007, on recommendation of the Mohegan Park Improvement and Development Advisory Committee, and following review and approval by the Commission on the City Plan added properties to Mohegan Park for purposes of expanding the park identified as:

- 49 Orton Street                      Map 78, Block 1, Lot 5 (Vision Appraisal PID #773),
- 30 Dartmouth Street                Map 70, Block 1, Lot 60 (Vision Appraisal PID #4166),
- 35 Dartmouth Street                Map 70, Block 1, Lot 61 (Vision Appraisal PID #4167),
- 40 Dartmouth Street                Map 70, Block 1, Lot 59 (Vision Appraisal PID #4169),
- Dartmouth Street                    map 70, Block 1, Lot 62 (Vision Appraisal PID #12546); and

**WHEREAS**, by resolution adopted November 20, 2006 following favorable recommendations from the Mohegan Park Improvement and Development Advisory Committee and the Commission on the City Plan, the Council of the City of Norwich authorized the acquisition of property identified as

- 189 Mohegan Park Road            Map 77, Block 1, Lot 27 (Vision Appraisal PID #217),
- 195 Mohegan Park Road            Map 78, Block 1, Lot 1 (Vision Appraisal PID #218); and

**WHEREAS**, by resolution adopted September 6, 1994 the Council of the City of Norwich agreed to accept a deed to fifteen (15) lots known as lots nos. 799-813 on St. Regis Avenue as shown in the Norwich Land Record Book of Plans No. 2, page 66 and identified as map 70 block 1 lot 63 (Vision Appraisal PID #1005); and

**WHEREAS**, by resolution adopted January 6, 2014 the Council of the City of Norwich, following a favorable review by the Commission on the City Plan agreed to accept a gift of an undeveloped parcel of land located to the rear of Prentice Lane identified as map 78 block 1 lot 6 (Vision Appraisal PID #100002) shown as Tract One on a boundary survey recorded in volume 12 at page 638 of the record of maps and surveys in the office of the Norwich city clerk anticipating the land might be incorporated within Mohegan Park and maintained as open-space; and

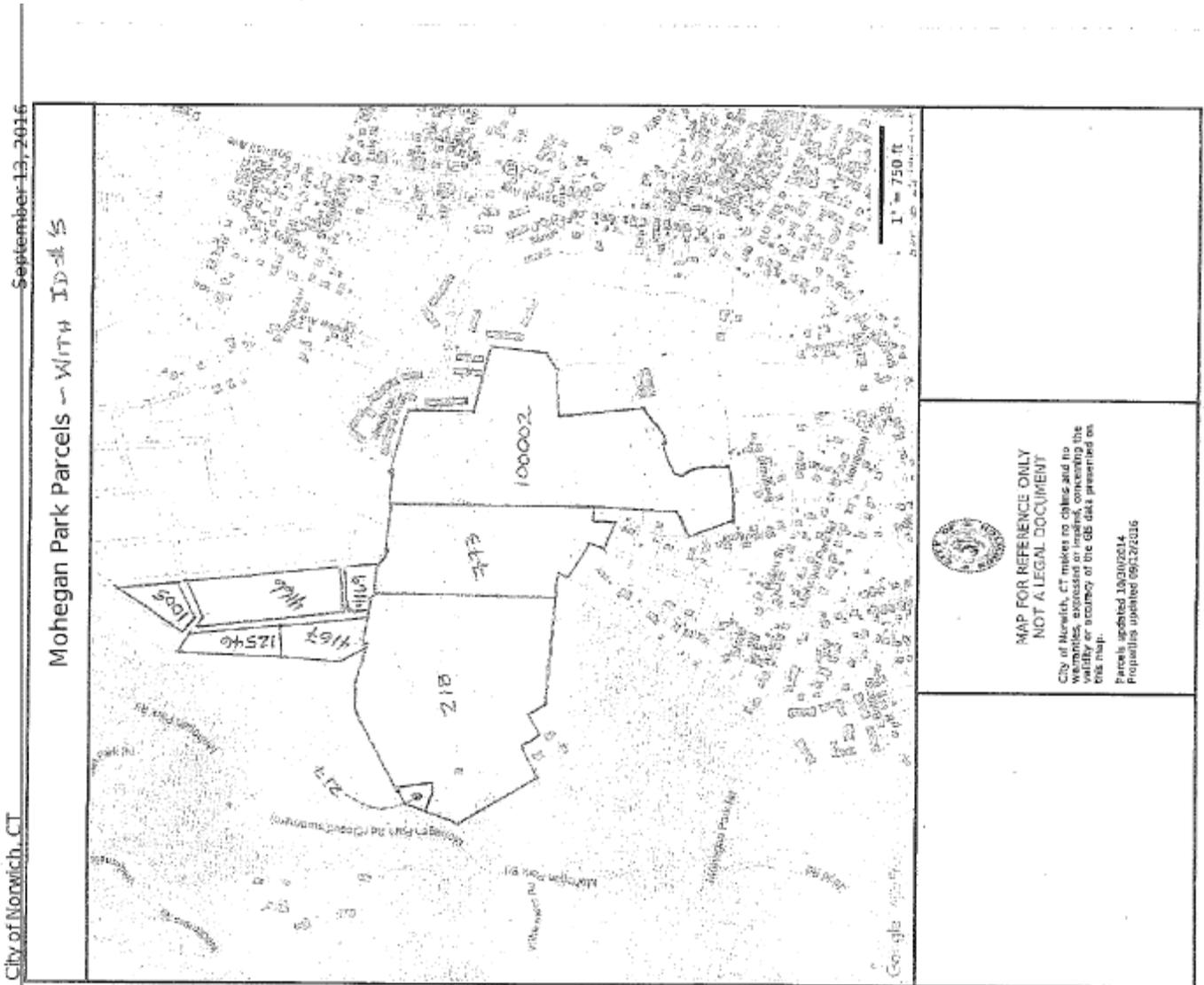
WHEREAS, the properties at 189 Mohegan Park Road, 195 Mohegan Park Road, St. Regis Avenue and Prentice Lane Rear are all located easterly of Mohegan Park and abut the park; and

WHEREAS, the Council of the City of Norwich finds it to be in the best interest of the city to incorporate said parcels, 189 Mohegan Park Road, 195 Mohegan Park Road, Prentice Lane Rear and St. Regis Avenue into Mohegan Park.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that, the properties identified as 189 Mohegan Park Road, 195 Mohegan Park Road, St. Regis Avenue and Prentice Lane Rear be incorporated in Mohegan Park within the descriptive boundaries thereof for purposes of expanding Mohegan Park and to permit the future improvement and development of Mohegan Park.

(Exhibit A attached for reference)

EXHIBIT A



City of Norwich Parcels				
Vision PID #	Map/Block/ Lot	St Address		Acreage
217	77/1/27	189 Mohegan Park Rd		0.7
218	78/1/1	195 Mohegan Park Rd		20.18
773	78/1/5	49 Orton St		19.3
100002	78/1/6	Prentice Ln Rear		30.64
4166	70/1/60	30 Dartmouth St		6.42
4169	70/1/61	35 Dartmouth St		3.51
4169	70/1/59	40 Dartmouth St		1.16
1005	70/1/63	St Regis Ave		1.72
12546	70/1/62	Dartmouth St		2
				85.63

Upon motion of Ald. Martin, seconded by Ald. Nash, it was unanimously voted to adopt the following resolution introduced by City Manager Salomone:

**WHEREAS**, The State of Connecticut Department of Addiction Services has put out a request for proposals to high need communities to receive federal funding from the Substance Abuse and Mental Health Services Administration to achieve measurable decreases in substance abuse use and related problems under the CT Partnership for Success (PFS) Initiative and,

**WHEREAS**, the Norwich Human Services (Norwich Youth and Family division) has applied for and has been approved for said funding in the amount of \$138,094 per year for four years to develop and participate in initiatives that help Norwich residents prevent substance abuse and prescription drug misuse, and

**WHEREAS**, the PFS initiative will allow NHS/YFS to assist Norwich young adults, age 12 to 20 with the prevention of underage drinking and young adults between 12 and 25 years of age with the prevention of prescription drug use/misuse, and

**WHEREAS**, all cost associated with this initiative are covered by the grant, including personnel, fringe benefits, equipment, materials and travel, and that no City funds are required to match this grant

**NOW, THEREFORE, BE IT RESOLVED BY THE NORWICH CITY COUNCIL**, that the City Manager, John Salomone, is authorized to enter into contract for funding available through the State of Connecticut Department of Mental Health and Addiction Services on behalf of Norwich Human Services to participate in this initiative.

Ald. Nash motioned, seconded by Ald. Braddock, to waive the reading of the proposed bond ordinance except for its title, and incorporate its full text into the minutes of this meeting, said ordinance being giving its first reading.

Motion passes on a roll call vote of 6-1 with Ald. Martin voting in opposition.

Upon a motion of Ald. Gould, seconded by Ald. Braddock, it was voted to refer to the Commission on the City Plan, schedule a Public Hearing second reading and action on Monday October 3, 2016 at 7:30 pm for the following ordinance introduced by City Manager Salomone:

Motion passes on a roll call vote of 6-1 with Ald. Martin voting in opposition.

### **COUNCIL'S AMENDING ORDINANCE**

AN ORDINANCE AMENDING VARIOUS ORDINANCES APPROPRIATING FUNDS FOR VARIOUS PROJECTS AND AUTHORIZING THE ISSUANCE OF BONDS TO MEET SAID APPROPRIATIONS TO REMOVE CERTAIN BOND SALE REQUIREMENTS FROM SUCH ORDINANCES

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

**WHEREAS**, the City Council adopted an ordinance on June 21, 2004 entitled, "AN ORDINANCE APPROPRIATING \$200,000 FOR IMPROVEMENTS TO NEW LONDON TURNPIKE AND PLEASANT STREET BRIDGES AND AUTHORIZING THE ISSUE OF \$200,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE" (Ordinance #1514), which was amended by an ordinance adopted by the City Council on January 16, 2007 entitled, "AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$200,000 FOR IMPROVEMENTS TO NEW LONDON TURNPIKE AND PLEASANT STREET BRIDGES AND AUTHORIZING THE ISSUE OF \$200,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE" ("Ordinance #1562");

**WHEREAS**, the City Council adopted an ordinance on August 6, 2007 entitled, "AN ORDINANCE APPROPRIATING \$40,250,000 FOR THE RENOVATION AND EXPANSION OF KELLY MIDDLE SCHOOL AND AUTHORIZING THE ISSUE OF \$40,250,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE" which was approved by Referendum on November 6, 2007 ("Ordinance #1570");

**WHEREAS**, the City Council adopted an ordinance on August 16, 2010 entitled, "AN ORDINANCE APPROPRIATING \$3,380,000 FOR THE CITY OF NORWICH DOWNTOWN REVITALIZATION INITIATIVE TO SPUR ECONOMIC DEVELOPMENT AND AUTHORIZING THE ISSUE OF \$3,380,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE" which was approved by Referendum on November 2, 2010 ("Ordinance #1641");

**WHEREAS**, the City Council adopted an ordinance on August 19, 2013 entitled, "AN ORDINANCE APPROPRIATING \$5,000,000 FOR THE CITY OF NORWICH INFRASTRUCTURE IMPROVEMENT PROGRAM (2013) AND AUTHORIZING THE ISSUE OF \$5,000,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE" which was approved by Referendum on November 5, 2013 ("Ordinance #1690");

**WHEREAS**, the City Council adopted an ordinance on July 7, 2014 entitled, “AN ORDINANCE APPROPRIATING \$9,500,000 FOR IMPROVEMENTS TO THE CITY’S NATURAL GAS SYSTEM WITHIN THE CITY’S SERVICE FRANCHISE AND AUTHORIZING THE ISSUE OF \$9,500,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE” which was approved by Referendum on November 4, 2014 (“Ordinance #1704,” and collectively with Ordinance #1514, 1570, 1641 and 1690, the “Prior Ordinances”);

**WHEREAS**, Section 5 of the Prior Ordinances required that “[a] notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying the municipal bond notices and devoted primarily to financial news and the subject of state and local municipal bonds”;

**WHEREAS**, the cost of publishing such notice of sale or summary thereof relating to the City’s bonds in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds is prohibitively expensive and not necessary for the successful sale of the City’s bonds;

**WHEREAS**, Section 5 of Ordinances #1514, #1570 and #1641 required that “[i]f the bonds are sold by negotiation the purchase contract shall be approved by the City Council”; and

**WHEREAS**, since 2013, the City Council has authorized the City Manager and the Comptroller to enter into and sign the purchase contract relating to bonds.

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

**Section 1.** Section 5 of Ordinance #1514 is amended and restated to read as follow:

“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, or at auction, at not less than par and accrued interest on the basis of the lowest net or true interest cost of the City, or comparable method. ~~A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying the municipal bond notices and devoted primarily to financial news and the subject of state and local municipal bonds. If the bonds are sold by negotiation the purchase contract shall be approved by the City Council.~~ With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Manager and Comptroller are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount applied.”

**Section 2.** Section 5 of Ordinance #1570 is amended and restated to read as follow:

“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, or at auction, at not less than par and accrued interest on the basis of

the lowest net or true interest cost of the City. ~~A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying the municipal bond notices and devoted primarily to financial news and the subject of state and local municipal bonds. If the bonds are sold by negotiation the purchase contract shall be approved by the City Council.~~"

**Section 3.** Section 5 of Ordinance #1641 is amended and restated to read as follow:

"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, or at auction, at not less than par and accrued interest on the basis of the lowest net or true interest cost of the City, ~~or comparable method. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying the municipal bond notices and devoted primarily to financial news and the subject of state and local municipal bonds. If the bonds are sold by negotiation the purchase contract shall be approved by the City Council.~~"

**Section 4.** Section 5 of Ordinance #1690 is amended and restated to read as follow:

"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, or at auction, at not less than par and accrued interest on the basis of the lowest net or true interest cost of the City. ~~A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying the municipal bond notices and devoted primarily to financial news and the subject of state and local municipal bonds.~~

**Section 5.** Section 5 of Ordinance #1704 is amended and restated to read as follow:

"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, or at auction, at not less than par and accrued interest on the basis of the lowest net or true interest cost of the City. ~~A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying the municipal bond notices and devoted primarily to financial news and the subject of state and local municipal bonds.~~ With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Manager and Comptroller are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount applied.

**Section 6.** The City Clerk shall cause amended versions of each of the Prior Ordinances incorporating the amended Section 5 language to be prepared, labeled "As Amended" at the top, and filed within minutes of the meeting at which these Amended Ordinances are adopted.

**Section 7.** These Amended Ordinances shall be effective upon adoption by the City Council.

Ald. Gould motioned, seconded by Ald. Braddock, to waive the reading of the proposed bond ordinance except for its title, and incorporate its full text into the minutes of this meeting, said ordinance being giving its first reading.

Motion passes on a roll call vote of 5-2 with Ald. Martin and Nash voting in opposition.

Upon a motion of Ald. Gould, seconded by Ald. Braddock, it was voted to refer to the Commission on the City Plan, schedule a Public Hearing second reading and action on Monday October 3, 2016 at 7:30 pm for the following ordinance introduced by Mayor Hinchey and Ald. Gould.

Motion passes on a roll call vote of 5-2 with Ald. Martin and Nash voting in opposition.

AN ORDINANCE APPROPRIATING \$800,000 FOR THE CITY OF NORWICH'S SHARE OF COSTS RELATING TO THE DEMOLITION, REMOVAL OF DEBRIS AND LANDSCAPING ON THE REID & HUGHES PROPERTY 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 City of Norwich's (the "City") share of costs relating to the demolition, removal of debris, and landscaping on the Reid & Hughes property, including, but not limited to, engineering, materials, contingencies, inspection and such additional related costs as may be accomplished within said appropriation (the "Project"), 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 cost of the Project is estimated to be \$800,000. No portion of the Project cost is expected to be paid from sources other than the proposed bond issue. The estimated useful life of the Project is at least twenty (20) years. The Project 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 twentieth (20<sup>th</sup>) 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 (the "Statutes"). 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 of the Statutes, including the authority to enter into agreements managing interest rate risk. The City Manager and Comptroller, on behalf of the City, shall execute and deliver such reimbursement agreements, letter of credit agreement, credit facilities, remarketing, standby marketing agreements, standby bond purchase agreements, and any other commercially necessary or appropriate agreements which are necessary, appropriate or desirable in connection with or incidental to the sale and issuance of such bonds or notes.

**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 Statutes, 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 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 Project. 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 that 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.** 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 Project 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.

**Section 10.** 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.

**Section 11.** The City Manager and Comptroller are hereby authorized to prepare and distribute preliminary and final Official Statements of the City, to execute and deliver on behalf of the City all such other documents, and to take all action, necessary and proper for the sale, issuance and delivery of any bonds or notes relating to the Project in accordance with the provisions of the Statutes and the laws of the United States.

Upon a motion of Ald. Gould, seconded by Ald. Braddock, it was unanimously voted to adjourn at 7:50 pm.



CITY CLERK