

A regular meeting of the Council of the City of Norwich was held August 1, 2016 at 7:30 PM in Council Chambers. Present: Mayor Hinchey, Aldermen Nystrom, Gould, Braddock, Martin and Nash. Corporation Counsel Michael Driscoll was also in attendance. Ald. Philbrick had an excused absence and City Manager Salomone was out of town, Mayor Hinchey presided.

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

Upon motion of Ald. Gould, seconded by Ald. Braddock, it was unanimously voted to adopt the minutes of July 5 & 18, 2016.

A presentation by Glenn Carberry on the Admissions Tax Exemption for Stadiums.

Upon motion of Ald. Gould, seconded by Ald. Braddock, it was unanimously voted to suspend the rules.

Motion of Ald. Martin, seconded by Ald. Gould, it was unanimously voted to add the following resolution introduced by Mayor Hinchey:

**WHEREAS, These Guys Brewing Company, LLC will be holding their one year anniversary party on Saturday, August 13, 2016, beginning at one o'clock until eleven o'clock at 82-84 Franklin Street; and**

**WHEREAS, the event will include music, a pig roast and other food offerings, limited release beers, a dunk tank, raffles, games and more; and**

**WHEREAS, as part of the event, Raymond J. Alberts, Jr., Permittee of These Guys will be hosting outside entertainment and would like to operate a beer garden that evening.**

**NOW THEREFORE, BE IT RESOLVED that as required pursuant to Section 13.14.2 of the Norwich Code of Ordinances, City Manager, John L. Salomone be and hereby is authorized to grant Raymond J. Alberts, Jr., Permittee and These Guys Brewing Company, LLC permission to use a portion of the abutting municipal parking lot for this purpose, subject to maintaining the appropriate insurance coverages and agreeing to restore premises to a pre-event condition.**

**Sponsored by: Mayor Deberoy Hinchey**

Ald. Gould stated the following resolution introduced by Ald. Braddock, Gould and Philbrick is being withdrawn by the sponsors:

**WHEREAS, section 14-8 of the Norwich Code of Ordinances limits bathing and swimming in all parks and recreation areas owned or controlled by the city of Norwich to water areas designated for that purpose and further provides that all persons swimming at public areas do so at their own risks; and**

**WHEREAS**, the City of Norwich maintains a public swimming area seasonally open at Spaulding Pond in Mohegan Park, which swimming area is usually opened for swimming in the late spring and summer only; and

**WHEREAS**, section 14-8 of the Norwich Code of Ordinances also provides that no ice fishing or other winter sport or activity is permitted on Spaulding Pond in Mohegan Park; and

**WHEREAS**, supporters of the St. Vincent DePaul Soup Kitchen, Inc. have requested permission to hold a “Penguin Plunge” in Mohegan Park to culminate with a brief plunge into Spaulding Pond, said event to be held on Thanksgiving Day, November 24, 2016; and

**WHEREAS**, the City of Norwich will not be expected to provide lifeguards for such event, the organizers of the event will require all participants to sign forms acknowledging that they understand that all persons participating in the “Penguin Plunge” at Spaulding Pond do so at their own risk; and

**WHEREAS**, the Director of Public Works has recommended that this request be brought to the Council of the City of Norwich for its approval or disapproval; and

**WHEREAS**, the Council finds the proposed “Penguin Plunge” is not prohibited or precluded by section 14-8 of the Norwich Code of Ordinances

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH** that the “Penguin Plunge” in support of St. Vincent DePaul Soup Kitchen, Inc. as described herein to be held on November 24, 2016 to include a plunge or swim in Spaulding Pond be permitted and is hereby approved subject to such terms and conditions as the city manager, public works director and police chief believe to be necessary and convenient for the event.

**City Manager’s Report:**

No report was presented.

Mayor Hinchey called for citizen comment on resolutions.

Rebecca Alberts, owner of These Guys Brewery, thanked the Council for supporting their one year event.

Mayor Hinchey declared citizen comment closed.

Upon motion of Ald. Gould, seconded by Ald. Martin, it was unanimously voted to adopt the following resolution introduced by Ald. Braddock, Gould and Philbrick:

**WHEREAS**, the Council of the City of Norwich, by resolution adopted October 5, 2015 authorized and directed Acting City Manager John Bilda to accept, execute and deliver a Development Agreement between the City of Norwich and Gil and Barbara Jordan, doing business as B&G Jordan Rentals pertaining to the development of the properties at 59 and 61 School Street; and

**WHEREAS**, separate Agreements were entered into by and between the City of Norwich and Gil and Barbara Jordan on October 6, 2015 with respect to the development of the properties at 59 School Street and 61 School Street; and

**WHEREAS**, said Agreements provided that upon Completion of the Work on each property the city shall convey the property by quit claim deed, to Gil and Barbara Jordan d/b/a B&G Jordan Rentals; and

**WHEREAS**, Building Inspector James Troeger anticipates issuing a certificate of occupancy in the near future for 61 School Street and at a later time for 59 School Street.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH** that City Manager John Salomone be and hereby is authorized and directed to prepare, execute and deliver a quit claim deed for 61 School Street together with such other documents as are necessary to effectuate the transfer, said documents being satisfactory to him and the corporation counsel and deliver the same to Gil and Barbara Jordan following an acknowledgment to him by the building inspector that a certificate of occupancy has been issued for the structure at 61 School Street; 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 to prepare, execute and deliver a quit claim deed for 59 School Street together with such other documents as are necessary to effectuate the transfer, said documents being satisfactory to him and the corporation counsel and deliver the same to Gil and Barbara Jordan following an acknowledgment to him by the building inspector that a certificate of occupancy has been issued for the structure at 59 School Street.

**Upon motion of Ald. Martin, seconded by Ald. Nash, it was unanimously voted to adopt the following resolution introduced by request Ald. Philbrick.**

**WHEREAS**, on February 3, 1978 the City of Norwich entered into an Open Space Grant Contract with the State of Connecticut whereby it was provided state financial assistance to acquire the property used as the Norwich Golf Course; and

**WHEREAS**, pursuant to said Open Space Grant Contract the City of Norwich entered into a Dedication Agreement with the State of Connecticut agreeing that the land would not be converted to any use other than for recreation or conservation purposes, except with the approval of the Commission of the Department of Environmental Protection, which Dedication Agreement is recorded in the Norwich Land Records at volume 486, page 148; and

**WHEREAS**, the Council of the City of Norwich by Ordinance No. 883 established the Norwich Golf Course Authority to promote and coordinate recreational activities on the Norwich Golf Course, to establish and maintain recreational facilities and to provide for the public health and welfare of all citizens of the city; and

**WHEREAS**, the City of Norwich remains the owner of said Norwich Golf Course property and leases the same to the Norwich Golf Course Authority to control the operation and maintenance of the golf course; and

**WHEREAS**, the Norwich Golf Course Authority is in the process of analyzing and considering the possibility of making changes to the irrigation system at the Norwich Golf Course to include the installation of wells, a pumping station, retention ponds and associated piping and will need to file applications with the Connecticut Department of Energy and Environmental Protection and potentially with Norwich and/or Montville Regulatory Agencies in connection with the same, the applications to include:

1. National Diversity Data Base State Listed Species Review, Connecticut Department of Energy and Environmental Protection View of Natural Resources Wildfire Division;
2. General permit for Diversion of Water for Consumptive Use, Inland Water Resources Division of the Connecticut Department of Energy and Environmental Protection;
3. Any applications needed for review by the Norwich Inland Wetlands, Watercourses and Conservation Commission and/or the Norwich Commission on the City Plan and/or similar regulatory agencies of the Town of Montville.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH** that, City Manager John Salomone be and hereby is authorized to sign, as he may deem appropriate, any of the applications referenced in this resolution regarding the permitting of wells, infrastructure and retention pond at the Norwich Golf Course and/or studies relative thereto on behalf of the City of Norwich and the Norwich Golf Course Authority.

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

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Sponsored by: Mayor Deberay Hinchey

Upon motion of Ald. Gould, seconded by Ald. Nash, to send a referral to the Commission on the City Plan to set a public hearing on August 15, 2016 at 7:00 pm, for the second reading and action for the following ordinance introduced by Mayor Hinchey.

**AN ORDINANCE AMENDING SUBSECTIONS .1 AND .2 OF SECTION 7.5.10- EXPIRATION AND COMPLETION. - OF THE NORWICH ZONING REGULATIONS AS ADOPTED AS ORDINANCE NO. 1721 ON 10-19-2015**

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF CITY OF NORWICH**, that subsections .1 and .2 of the Zoning Regulations of the City of Norwich as established by Ordinance 1721 adopted 10-19-2015 be and hereby are amended as follows:

Zoning Regulation Section 7.5.10 – Expiration and Completion.

- .1 All work in connection with a site plan shall be completed within 5 years after the date of approval of the plan. Failure to complete all work within such 5 year period shall result in ~~automatic~~ expiration of the approval of such site plan unless the Commission ~~shall have granted~~ grants an extension of the time to complete work in connection with such site plan.
- .2 The Commission may grant 1 or more extensions of the time to complete all or part of the work in connection with the site plan provided the total extension or extensions shall not exceed ~~10-14~~ years from the date of approval of such site plan
- .3 The Commission may condition the approval of such extension on a determination of the adequacy of any Performance Guarantee or other surety.

**AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH** that this ordinance shall become effective ten (10) days after its publication.

Purpose: To coordinate the time to complete site plan work under the Norwich Zoning Regulations with those provided at section 8-3(m) of the Connecticut General Statutes.

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



CITY CLERK