

The regular meeting of the Council of the City of Norwich was held April 2, 2018, at 7:30 PM in Council Chambers. Present: Mayor Nystrom, Ald. Nash, Gould, Philbrick, DeLucia, Browning and Burnham. City Manager Salomone and Corporation Counsel Michael Driscoll were also in attendance. Mayor Nystrom presided.

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

Upon a motion of Ald. Gould, seconded by President Pro Tem Nash, it was unanimously voted to adopt the minutes of March 5 and 19, 2018.

**Please be advised that meetings of the Norwich City Council can be viewed in their entirety on the City of Norwich website “norwichct.org”.**

Upon a motion of Ald. Gould, seconded by Ald. DeLucia, it was unanimously voted to accept the letter from the Chairman of the School Building Committee (Kelly Middle School).

City Manager Salomone presented his proposed budget, fiscal year 2018-19 report:

Link to [proposed budget](https://ct-norwich2.civicplus.com/DocumentCenter/View/4132/2018-04-02-City-Managers-Proposed-2018-19-Budget-Slides) (or type <https://ct-norwich2.civicplus.com/DocumentCenter/View/4132/2018-04-02-City-Managers-Proposed-2018-19-Budget-Slides> into your browser)

Mayor Nystrom called for citizen comment.

Jason Morris, 145 Canterbury Tpke, asked for clarification on choosing a Chair person on resolution #9.

Gil Skillman, 101 Broad St, ask for resolution #5 to go forward.

Sue Augustyniak, 101 Broad St, stated resolution #5 is a sound investment for the future.

Heather Romanski, 297 Scotland Rd, spoke with concerns about the process of choosing the Chair and Vice Chair on resolution #9.

Susan Masse, 1 Sachem Terrace, spoke in favor of resolution #9 keeping the history and architecture of Norwich.

Dale Plummer, 25 Broadway, supports resolution # 5 and talked about the 100<sup>th</sup> anniversary of WWI on resolution #8.

Ben Haith, 39 Fanning Ave, spoke on saving buildings from being razed.

Bill Champagne, President of the Norwich Historical Society, 7 NW Corner RD, Preston, spoke on the positive aspects of resolution #5.

Rodney Bowie, 62 Roosevelt Ave, echoed previous speakers and supports resolution #5.

Derrell Wilson, 30 2<sup>nd</sup> Ave, felt the committee should choose the Chair and Vice Chair on resolution #9.

Nina Barclay, 3 Lathrop Ln, stated resolution #5 will allow 20 units of Veterans housing in the downtown.

Shiela Hayes, 382 Laurel Hill Ave, stated she was neither for nor against resolution #5, #8 and #9 asking questions on all.

Mark Bettencourt, 129 Merchants Ave, commented on resolution #9 and on resolution #5 stating it's better to spend a little then leave a hole.

David Crabb, 47 Prospect St, spoke in opposition to resolution #5 and asked to amend it.

Tom Kenney, 12 Ledyard Court, supports resolution #5 and welcomes the 20 Veterans it will bring.

Mayor Nystrom declared citizen comment closed.

Upon a motion of Ald. Burnham, seconded by Ald. Gould, it was unanimously voted to adopt the following resolution introduced by City Manager Salomone.

Relative to setting the first and second public hearings on the budget for Fiscal Year 2018-19.

**RESOLVED**, that the first public hearing on the proposed budget for Fiscal Year 2018-2019 will be held on Thursday, April 12, 2018, 7:30 PM in the Council Chambers of City Hall.

**BE IT FURTHER RESOLVED**, that the second public hearing on the proposed budget for Fiscal Year 2018-2019 will be held on Monday, May 14, 2018 at 7:30 PM in the Council Chambers of City Hall.

Upon a motion of Ald. Gould, seconded by Ald. Burnham, it was unanimously voted to adopt the following resolution introduced by Mayor Nystrom and President Pro Tem Nash.

WHEREAS, THE City of Norwich is an entitlement community receiving U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) dollars under Title I of the Housing and community Development Act of 1974 (Public Act 93-383), as amended in 1977; and

WHEREAS, HUD requires CDBG funding be used to meet the primary objective of benefitting low-to-moderate income residents which must be allocated within timeframes to meet annual spending threshold guidelines; and

WHEREAS, when funding cannot meet the spending guidelines it shall be recaptured and reallocated in order to meet said guidelines.

NOW THEREFORE BE IT RESOLVED BY THE NORWICH CITY COUNCIL that the allocated sum of \$ \$432,607.69 in CDBG entitlement grant funds from PY 14-16 shall be recaptured, and that the City Manager is hereby directed to include the recaptured amount as available funds in the 2018

allocation process as established through the city of Norwich’s Citizen Participation Plan and in following HUD guidelines.

Upon a motion of President Pro Tem Nash., seconded by Ald. Gould, it was unanimously voted to adopt the following resolution introduced by City Manager Salomone.

WHEREAS, the City of Norwich is an entitlement community receiving U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) dollars estimated at \$759,993 for program year (PY) 2018 and Recaptured funds of \$432,607 from previous program years; and

WHEREAS, the Community Development Advisory Committee (CDAC) has held public meetings and voted on their recommendations for CDBG allocations in the month of February; and

WHEREAS, the allocation process is subject to a 30-day comment period prior to being placed into effect and the Council of the City of Norwich must hold a public hearing regarding the recommendations prior to the final vote on the allocation.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that the Council shall and hereby does schedule a public hearing to be held at 7:30 p.m. during the April 16, 2018 Council meeting on the subject of Community Development Block Grant allocation recommendations for PY 2018.

<b>CDBG Requests - PY 44 (2018-2019)</b>			
<b>Anticipated PY 2017 Allocation</b>	\$	753,993.00	
<b>Recaptured funding</b>	\$	432,607.00	
	\$	1,186,600.00	
		<b>PY 2018 Request</b>	<b>CDAC Recommendation</b>
			<b>Council Recommendation</b>
CD Office - Administration	\$	150,798.60	\$ 150,798.60
20% of Grant Funds and ROL			
<b>Public Services</b>			
NHS Norwich Works	\$	50,000.00	\$ 50,000.00
NHS Rapid Rehousing	\$	15,000.00	\$ 15,000.00
Safe Futures	\$	15,000.00	\$ 15,000.00
<b>Total Public Services</b>	\$	80,000.00	\$ 80,000.00
<b>Non-Public Services</b>			
ARC of NL	\$	8,722.35	\$ 8,722.35
DPW ADA Recreation Bldg	\$	60,000.00	\$ 60,000.00
DPW Norwich Ave Sidewalks	\$	183,000.00	\$ 154,945.05
NHA Rosewood Manor	\$	75,000.00	\$ 75,000.00
CD - Property Rehab	\$	250,000.00	\$ 200,000.00
NCDC Signage & Awnings	\$	100,000.00	\$ 30,000.00
<b>Total Non-Public Services</b>	\$	676,722.35	\$ 528,667.40
<b>RECAPTURE</b>			
NFD - Protective Equipment	\$	427,134.00	\$ 427,134.00
NHA - Rosewood Manor	\$	75,000.00	\$ -
<b>Total Recaptured Funding Req</b>	\$	502,134.00	\$ 427,134.00
Public Service	\$	80,000.00	\$ 80,000.00
Non-Public Service	\$	676,722.35	\$ 528,667.40
CD Administration	\$	150,798.60	\$ 150,798.60
Recaptured Funding	\$	502,134.00	\$ 427,134.00
<b>Total All Requests</b>	\$	<b>1,409,654.95</b>	\$ <b>1,186,600.00</b>

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

**WHEREAS**, the Council of the City of Norwich by a resolution adopted February 20, 2007 appointed a building committee known as the Kelly Middle School Building Committee and authorized the superintendent of schools to file all applications necessary to obtain state and federal assistance for the Kelly Middle School Additions and Renovations Project; and

**WHEREAS**, the Project has been finished and, with administrative matters substantially completed, on March 15, 2018 the Kelly Middle School Building Committee voted to dissolve and on March 15, 2018 the Norwich Board of Education adopted a resolution finding that the Kelly Middle School Additions and Renovations Project, State Project No. 104-0112 is complete; and

**WHEREAS**, the Council of the City of Norwich finds that the Kelly Middle School Building Committee should be dissolved and discharged from further responsibility with respect to the project.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH** that, the Kelly Middle School Building Committee be and hereby is dissolved and discharged of further responsibilities with respect to the Kelly Middle School Additions and Renovations Project; and

**BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH** that, the Council of the City of Norwich extends its thanks and appreciation to the Kelly Middle School Building Committee for its efforts and dedication toward the Project over the last 11 years.

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

**WHEREAS**, the Council of the City of Norwich by a resolution adopted March 19, 2018 conditionally appropriated the sum of up to \$150,000.00 to be expended in support of the proposed renovations of the Reid & Hughes property by the Women's Institute Realty of Connecticut, Inc. pursuant to the Development Agreement entered into between it and the City of Norwich; and

**WHEREAS**, said resolution directed City Manager John Salomone to negotiate an amendment to the Development Agreement to establish terms and conditions applicable to the sum of up to \$150,000.00 of city funding to be utilized for the project pursuant to said resolution and to present the proposal amendment to the Council for its consideration and potential approval of the Council meeting of April 2, 2018; and

**WHEREAS**, a proposed amendment is provided herewith and attached hereto as Exhibit A, which amendment to the Development Agreement the Council of the City of Norwich finds 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, the proposal amendment be and hereby is approved and City Manager John Salomone be and hereby is authorized and directed to execute and deliver a document or documents satisfactory to him

incorporating the amendment into the terms of the Development Agreement together with such other documents as are necessary to permit the expenditure up to \$150,000.00 in funding provided by the City of Norwich.

### **FIRST AMENDMENT TO DEVELOPMENT AGREEMENT**

**THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT** (this "Amendment") is made as of the \_\_\_ day of April, 2018, by and between **THE CITY OF NORWICH**, a Connecticut municipal corporation having an address of 100 Broadway, Norwich, Connecticut 06360, acting by and through its Planning and Neighborhood Services Department (the "City") and **WOMEN'S INSTITUTE REALTY OF CONNECTICUT, INC.**, a Connecticut non-stock corporation having an address of 75 Charter Oak Avenue, Suite 200, Hartford, Connecticut 06106 (the "Developer").

### **RECITALS**

**WHEREAS**, the City and the Developer entered into that certain Development Agreement dated as of August 24, 2017 (the "Contract"), whereby the City agreed to permit the Developer to conduct certain activities and/or due diligence upon real property located at 193-201 Main Street, Norwich, Connecticut, as such real property is more particularly described on "Exhibit A" in the Contract (the "Property"), with the Developer also retaining the right to purchase the Property in accordance with and subject to the terms of the Contract; and

**WHEREAS**, the Contract contemplated the Developer's securing of certain financing during the Stabilization Assessment Period for the purposes of the Completion of the Building Stabilization;

**WHEREAS**, the City has agreed to provide certain of the stabilization financing, subject to the terms hereinafter set forth and further subject to the Council of the City of Norwich's (the "Council") final approval (or any modification) of same (the "City Financing"); and

**WHEREAS**, Seller and Purchaser desire to amend the Contract as more particularly set forth below based on the above and the extension of any City Financing.

**NOW, THEREFORE**, in consideration of the foregoing and of other valuable consideration, the receipt and sufficiency of which are hereby mutually acknowledged, the City and the Developer hereby agree to amend the Contract as follows:

1. Undefined Terms. Unless otherwise defined herein, all capitalized terms used in this Amendment shall have the definitions ascribed to them in the Contract.

2. City Financing. Subject to final Council review and approval, the City Financing shall be in the amount of up to \$150,000, and payable as follows: (i) interest shall accrue at the per annum rate of 1% which shall not compound; (ii) any accrued, unpaid interest and all principal shall be due and payable no later than the conclusion of the Project Development Period (however, should such Work not commence and the Developer have elected to not pursue such Work due to its inability to secure financing during the Financing Contingency Period or otherwise the City Financing shall be forgiven); and (iii) the City Financing shall be secured by a subordinate (third) mortgage on the Property. In addition, the City Financing shall be nonrecourse to the Developer, its member, officers, employees and agents and to any assignee or nominee. Advances made under the City Financing will be made on a

dollar for dollar basis with the Local Initiatives Support Corporation (“LISC”) and its loan, on terms and conditions acceptable to the City, subject to a funding agreement to be entered into by the City and LISC, and on the further condition that the City be provided satisfactory documentation that the Completion of the Building Stabilization can be completed with all stabilization funds that were secured by the Developer during the Stabilization Assessment Period.

3. Commencement of the Completion of the Building Stabilization Period. Upon the procurement of the Council approval to the City Financing, the Developer shall have up to one hundred twenty (120) calendar days to affect the Completion of the Stabilization of the Building Stabilization from the date of such Council approval.

4. Authority. The City represents and warrants to the Developer that the City has the right, power and authority to execute and deliver this Amendment and to perform its obligations hereunder, and this Amendment is a valid and binding obligation of the City enforceable against it in accordance with the terms hereof. The Developer represents and warrants to the City that the Developer has the right, power and authority to execute and deliver this Amendment and to perform its obligations hereunder, and this Amendment is a valid and binding obligation of the Developer enforceable against it in accordance with the terms hereof.

5. Conflict/Ratification. Except as amended herein, the Contract shall remain in full force and effect and the parties hereto ratify and reconfirm the Contract. In the event of any conflicts or inconsistencies between the provisions of the Contract and the provisions of this Amendment, the provisions of this Amendment shall control.

6. Counterparts. This Amendment may be executed in any number of counterparts, each of which shall be deemed to be an original, and all such counterparts shall constitute one agreement. To facilitate execution of this Amendment, the parties may execute and exchange counterparts of the signature pages by facsimile and/or electronic mail, and such facsimile and/or electronic mail counterparts shall serve as originals.

7. Entire Agreement. This Amendment sets forth the entire agreement between the parties with respect to the matters set forth herein. There have been no additional oral or written representations or agreements.

8. Successors and Assigns. The provisions hereof shall inure to the benefit of, and be binding upon, the parties hereto and their successors and permitted assigns.

**[SIGNATURE PAGE FOLLOWS]**

[This is the signature page to the First Amendment to Purchase and Sale Agreement]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed under seal by their duly authorized representatives as of the day and year first above written.

**THE CITY OF NORWICH**

By: \_\_\_\_\_

Name:

Title:

**WOMEN’S INSTITUTE REALTY OF CONNECTICUT, INC.**

By: \_\_\_\_\_

Name:

Title:

Upon a motion of Ald. Gould, seconded by Ald. Burnham, it was unanimously voted to adopt the following resolution introduced by City Manager Salomone.

**WHEREAS**, City Manager John L. Salomone has recommended the following reappointment as a regular member to the Zoning Board of Appeals for a term to expire on 2/28/20 or until a successor is appointed;

Dorothy Travers (D)

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Norwich hereby approves the reappointment of the above named to the Zoning Board of Appeals.

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

**BE IT RESOLVED** that the below named be reappointed as a regular member to the Personnel & Pension Board for a term to expire on March 1, 2020 or until a successor is appointed:

Shiela Hayes (D)

President Pro Tem Nash motioned, seconded by Ald. Gould, to put the following resolution introduced by Mayor Nystrom and President Pro Tem Nash on the floor.

Ald. Browning made a motion, seconded by Ald. Philbrick, to amend the below resolution to insert at the end of the last paragraph “City money will not be used for this project”. The motion to amend fails on a vote of 1 to 6 with Mayor Nystrom, President Pro Tem Nash, Ald. Gould, Philbrick, DeLucia and Burnham voting in opposition.

**WHEREAS**, Veteran’s Day, Sunday, November 11, 2018, will mark the 100<sup>th</sup> anniversary of the Armistice which concluded the First World War to be acknowledged and observed by various veterans organizations in Norwich; and

**WHEREAS**, the City of Norwich then recognized its citizens who served in the Armed Forces during the First World War establishing a memorial located on grounds at the intersection of Washington Street and Broadway near the north end of Chelsea Parade; and

**WHEREAS**, said memorial included a field artillery piece of First World War vintage which was subsequently removed to storage and which requires restoration; and

**WHEREAS**, the City Historian, Dale Plummer, proposes to raise funds through fundraisers and private solicitations for restoration of this field artillery piece in the hopes of the having the same restored or in the process of restoration by November 11, 2018.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH** that, it expresses its full support for this endeavor and authorizes the establishment of a fund to be held by the City of Norwich entitled the "First World War Memorial Field Artillery Piece Restoration Fund" to which contributions may be made for purposes of restoration as described herein.

The motion to adopt the resolution passes 6 to 1 with Ald. Browning voting in opposition.

Ald. Gould motioned, seconded by Ald. Burnham, to put the following resolution introduced by Mayor Nystrom, Ald. Gould and Philbrick on the floor.

**WHEREAS**, the Council of the City of Norwich, by resolution adopted March 19, 2018, established the 2018 School Facilities Review Committee and appointed 11 regular members to the same; and

**WHEREAS**, the Council intended to appoint two members to serve as Chair and Vice Chair respectively, but neglected to do so; and

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH** that said resolution adopted March 19, 2018 establishing the 2018 School Facilities Review Committee and appointing the 11 regular members to the same be amended by naming Mark M. Bettencourt as Chair and Tricia Staley as Vice Chair.

The motion to adopt the resolution passes 5 to 2 with Ald. Browning and Burnham voting in opposition.

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

**WHEREAS**, the City of Norwich took title to the property at 130 Prospect Street by a tax collector's sale; and

**WHEREAS**, the Council of the City of Norwich by a resolution adopted February 20, 2018 authorized the tax collector to sell by limited auction the property at 130 Prospect Street the auction limited to receiving bids from owners or agents of those properties immediately abutting 130 Prospect Street and subject to the requirement that the successful bidder must agree to combine the property with that of the bidder's existing abutting property within 90 days of the date of the auction; and

**WHEREAS**, the tax collector has conducted such an auction and received a compliant bid for \$1,000 from David C. Willis and Karen Willis of 134 Prospect Street who have placed a refundable deposit of \$500;

**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 convey the property at 130 Prospect Street to David and Karen Willis by way of a deed satisfactory to him and to deliver the same to the Willis' together with such other documents as are necessary to complete the transaction.



Mayor Nystrom stated that the date has already been established for the public hearing on the following ordinance.

**AN ORDINANCE RELATIVE TO THE APPROPRIATIONS FOR THE CITY OF NORWICH AND THE CITY AND TOWN CONSOLIDATION DISTRICTS OF SAID CITY FOR FISCAL YEAR 2018-19.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH, the following appropriations hereby are made to meet the expense of the City of Norwich and the City and Town Consolidation Districts of the City of Norwich for the fiscal year beginning July 1, 2018 and ending June 30, 2019 to wit:

	2016-17 Budget	2017-18 Budget	2018-19 Proposed
<b>City Manager</b>	366,118	379,102	382,808
<b>Finance</b>	1,560,791	1,624,111	1,625,576
<b>City Treasurer</b>	249,551	265,446	265,915
<b>Assessor</b>	848,235	430,071	523,224
<b>Human Resources</b>	531,943	519,329	547,227
<b>Law</b>	511,000	491,400	471,000
<b>City Clerk</b>	426,925	490,478	498,436
<b>City Council</b>	364,541	322,439	579,896
<b>Police</b>	15,660,995	16,194,440	16,482,893
<b>Fire - Central</b>	2,091,726	2,027,756	2,196,885
<b>Fire - East Great Plain</b>	131,867	138,693	151,628
<b>Fire - Laurel Hill</b>	73,414	70,812	75,106
<b>Fire - Occum</b>	71,821	76,041	75,347
<b>Fire - Taftville</b>	161,333	157,397	168,897
<b>Fire - Yantic</b>	174,339	161,683	176,744
<b>Human Services</b>	1,853,699	2,029,845	2,113,474
<b>Public Works</b>	10,770,199	10,686,366	10,789,961
<b>Election</b>	155,988	145,779	153,449
<b>Planning &amp; Neighborhood Services</b>	1,094,322	1,006,691	992,495
<b>Debt Service</b>	4,373,019	4,470,107	4,262,998
<b>Miscellaneous</b>	5,965,204	5,840,446	6,549,797
<b>Emergency Management</b>	88,945	86,687	86,225
<b>Education</b>	75,430,000	76,184,300	77,707,986
<b>City Consolidation District</b>	7,475,397	7,657,212	7,988,491
<b>Town Consolidation District</b>	589,147	581,805	574,371
<b>TOTALS</b>	<b>131,020,519</b>	<b>132,038,436</b>	<b>135,440,829</b>
<b>General Operations</b>	40,730,466	40,685,892	42,430,995
<b>Debt Service</b>	4,373,019	4,470,107	4,262,998
<b>Capital Improvements</b>	2,422,490	2,459,120	2,475,988
<b>Education</b>	75,430,000	76,184,300	77,707,986
<b>City Consolidation District</b>	7,475,397	7,657,212	7,988,491
<b>Town Consolidation District</b>	589,147	581,805	574,371
<b>TOTALS</b>	<b>131,020,519</b>	<b>132,038,436</b>	<b>135,440,829</b>

Mayor Nystrom stated that the date has already been established for the public hearing on the following ordinance.

AN ORDINANCE CONCERNING THE TAX LEVIES ON THE  
LIST OF OCTOBER 1, 2017

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

Section 1. On the City Assessment list of October 1, 2017 a tax of forty-two and six hundredths (42.06) mills on the dollar is hereby established to be levied upon the ratable Real Estate, Personal Property, and Motor Vehicles within the City of Norwich of the inhabitants of said City and all others liable to pay taxes therein.

Section 2. On the City Assessment list of October 1, 2017, a tax of forty-seven hundredths (0.47) mills on the dollar, is hereby established to be levied for fire services upon the ratable Real Estate, Personal Property, and Motor Vehicles within the Town Consolidation District of the inhabitants of said District and of all others liable to pay taxes therein.

Section 3. On the City Assessment list of October 1, 2017, a tax of ten and two hundredths (10.02) mills on the dollar, is hereby established to be levied for fire services upon the ratable Real Estate and Personal Property within the City Consolidation District of the inhabitants of said District and of all others liable to pay taxes therein.

Section 4. On the City Assessment list of October 1, 2017, a tax of two and ninety-four hundredths (2.94) mills on the dollar, is hereby established to be levied for fire services upon the ratable Motor Vehicles within the City Consolidation District of the inhabitants of said District and of all others liable to pay taxes therein.

Section 5. Except as provided in Section 6, all taxes on Real Estate and Personal Property listed in Sections 1 through 4 shall become due on July 1, 2018, and payable on said date in whole or in equal installments from that date, namely on July 1, 2018 and January 1, 2019, except that any tax of less than one hundred dollars shall be due and payable on July 1, 2018. If the first installment is not paid on or before August 1, 2018 or if the second installment is not paid on or before February 1, 2019, interest will be charged on any such delinquent payment at the rate of one and one-half (1½%) per cent per month from the due date or \$2.00 whichever is greater, as provided for in the general statutes. Any person may pay the total amount of such tax for which he is liable at the time when the first installment shall be payable.

Section 6. Taxes on Motor Vehicles shall become due and payable in full on July 1, 2018. If the payment is not paid on or before August 1, 2018 interest will be charged on the delinquent payment at the rate of one and one-half (1½%) per cent per month from due date or \$2.00 whichever is greater, as provided for in the general statutes.

Upon a motion of Ald. Burnham, seconded by President Pro Tem Nash, it was unanimously voted to waive the full reading and incorporate it into the minutes, and schedule a public hearing on April 16,

2018 at 7:30 pm for second reading and action the following ordinance introduced by Mayor Nystrom and President Pro Tem Nash.

AN ORDINANCE APPROPRIATING \$675,000 FOR INTEGRATING AND IMPROVING NORWICH PUBLIC SCHOOLS AND CITY OF NORWICH ADMINISTRATIVE FUNCTIONS AND AUTHORIZING THE ISSUE OF \$675,000 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 \$675,000 is appropriated for the planning, acquisition, training, data conversion, implementation of software and hardware upgrades, and other costs needed to effectuate the integration of human resources, accounting, purchasing, payroll, accounts payable and other administrative functions of Norwich Public Schools with those of the City of Norwich and for appurtenances, services, consultants, and warranties related thereto or for so much thereof or such additional process improvements and initiatives as may be accomplished within said appropriation, and for administrative, advertising, printing, legal and financing costs to the extent paid therefrom (the "Project"). Said appropriation shall be in addition to grant funding and all prior appropriations for said purpose.

**Section 2.** The total estimated cost of the Project is \$675,000. The average estimated useful life of the Project is 16 years. The Projects is a general benefit to the City of Norwich (the "City") and its general governmental purposes.

**Section 3.** To meet said appropriation \$675,000 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 Property. 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 Property 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 including but not limited to any "tax credit bond," or "Build America Bonds" including Direct Payment and Tax Credit versions.

**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 Property in accordance with the provisions of the Statutes and the laws of the United States.

Upon a motion of, President Pro Tem Nash, seconded by Ald. DeLucia, it was unanimously voted to waive the full reading and incorporate it into the minutes, and schedule a public hearing on April 16, 2018 at 7:30 pm for second reading and action the following ordinance introduced by Mayor Nystrom and President Pro Tem Nash.

AN ORDINANCE APPROPRIATING \$800,000 FOR 2018-2019 CAPITAL IMPROVEMENTS FOR THE DODD STADIUM PROJECT 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 capital improvements at Dodd Stadium (the "Project"). The Project shall consist of various renovations and improvements. Project improvements may consist of, but not be limited to, replacement and/or improvements to the HVAC system, field lighting, and netting; as well as administrative, advertising, printing, legal and financing costs related thereto. Said appropriation shall be in addition to all other appropriations for said purpose.

**Section 2.** The total estimated cost of the project is \$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 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 Property. 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 Property 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 including but not limited to any "tax credit bond," or "Build America Bonds" including Direct Payment and Tax Credit versions.

**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 Property in accordance with the provisions of the Statutes and the laws of the United States.

Upon motion of Ald. Gould, seconded by President Pro Tem Nash, it was unanimously voted to adjourn at 9:20 P.M.



City Clerk