

The regular meeting of the Council of the City of Norwich was held July 6, 2020, at 7:30 PM in Council Chambers. Present by a roll call vote: Mayor Nystrom, Ald. Bettencourt, Gould, Nash, Wilson, Myles and DeLucia. City Manager Salomone and Corporation Counsel Michael Driscoll were also in attendance. Mayor Nystrom presided.

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

Ald. Wilson read the opening prayer and Ald. Nash, led the members in the Pledge of Allegiance.

Upon a motion of Ald. Wilson, seconded by Ald. Nash, on a roll call vote it was unanimously voted to suspend the rules.

Upon a motion of Ald. Myles, seconded by Ald. DeLucia, on a roll call vote it was unanimously voted to add the following Petition and Communication:

JOSHUA A. POTHIER, C.P.A. 100 Broadway Room 105

COMPTROLLER Norwich, CT 06360-4431

Phone: (860) 823-3720 www.norwichct.org/finance

Fax: (860) 823-3812 jpothier@cityofnorwich.org

June 30, 2020

To: Mayor Peter Nystrom and Members of the Norwich City Council through City Manager John Salomone

Proposed Golf Course Authority Bond Ordinance

Golf Course Authority Background

The Golf Course Authority was created in January 1978 for the purposes of promoting and coordinating recreational activities, establishing and maintaining facilities, and providing for the public health and welfare of the citizens of the city.

The City acquired land (approximately 160 acres) in December 1977 for approximately \$1.2 million with \$600,000 from a Federal conservation grant, \$300,000 from a State of Connecticut open space grant, and \$300,000 from City funds. The grant agreements included a dedication agreement requiring that the land be used for “open space uses” which include recreation and conservation.

All operational expenses and the majority of improvements to the golf course since then have been paid for with the golf course’s operating revenues and non-city grant sources. The City has issued bonds in its name to pay for some of the golf course improvements, but all of the debt service payments on those bonds have been made by the Golf Authority from its revenues. The City Council has approved the following expenditures from the capital budget in recent years:

- FY2019-20 - \$50,078 to replace a tractor with turf tires, a PTO blower and a greens mower
- FY2020-21 – \$50,000 to replace reel grinding machine

Capital Projects Contemplated

Equipment Replacements

The NGCA has been maintaining the facilities with some very old equipment (several pieces are 20-30 years old). Because of the repair costs and inefficiency of the equipment, the NGCA believes it is prudent to replace this equipment in the near future. The equipment replacement is expected to cost \$410,000. The average estimated useful life of this equipment (listed below) is seven years.

- Groundmaster 1200 – Pull Behind Rough Mower
- Groundsmaster 3200 4WD – Trim Rough Mower that does around trees and wooded areas
- Greensmaster TriFlex 3300 – Greens mower

- Two Reelmaster 5410-D – 2 Fairway Mowers
- Sand Pro 5040 – Bunker Rake
- Multi Pro 5800-G with Excelsior - Sprayer
- Two Workman HDX – 4WD – Heavy Duty Work Vehicles
- John Deere 4066R Tractor – Tractor

Proposed Bond Ordinance with Internal Financing

As with traditional bond ordinance financing, the City Council votes on a bond ordinance, but the City and NGCA could handle the financing internally. Here is how it would work:

- City Council adopts a bond ordinance for NGCA projects
- NGCA adopts a resolution authorizing the NGCA to reimburse the City for the capital projects
- NGCA begins to procure the capital items
- City pays for the capital items from a capital projects fund
- City charges any legal fees incurred to draft the bond ordinance and joint resolution to the
- NGCA bond project account in the capital projects fund
- City does not issue any debt related to the NGCA projects
- NGCA repays principal to the capital projects fund and interest to the general fund in
- accordance with the terms in the joint resolution

If the City were to experience a major cash shortage for whatever reason, the bond ordinance would allow the City to issue temporary or permanent financing for the NGCA projects. Depending on the timing of this financing, the notes or bonds may need to be made on a taxable, rather than tax-exempt basis.

Projected Budget Impact

As you can see, the NGCA ended fiscal year 2018-19 with a \$37,000 cash deficit. With the staffing pattern changes, incremental fee increases, and the successful implementation of the storage pond project, this deficit should be erased before the end of fiscal year 2020-21. The projects proposed in this bond ordinance should reduce the NGCA's equipment maintenance costs and allow them to operate more efficiently.

Potential Risks

The NGCA has a long track record of managing its finances well and the projects proposed in this bond ordinance would assist the NGCA in continuing to manage its finances. However, there are a few areas of risk that the Council needs to be aware of.

Weather

The NGCA has managed its expenditures over the years when fluctuations in weather hurt its revenues. However, if the City experiences a few consecutive years of bad golf weather, the NGCA could be in a deficit position.

Decline in Popularity of the Sport of Golf

NGCA membership revenues have declined over the years and more golfers are paying greens fees. If this is merely an indication of the change in preference of golfers to pay-as-they-go rather than paying up front, then the NGCA should not be negatively impacted. However, if this trend points to a decline in the popularity of the sport, then it may pose the risk that future NGCA revenues will not be able to support its operations.

Aging Infrastructure

In addition to the old maintenance equipment used by the NGCA, it also has an old irrigation system. The irrigation system dates back to the late 1970's. The irrigation system may cost as much as \$1.5 million to replace. If it becomes necessary to replace the irrigation system, the NGCA operations could not support the debt service on such a project.

Upon a motion of Ald. Gould, seconded by Ald. Myles, on a roll call vote it was unanimously voted to adopt the minutes of June 1, 8 and 15, 2020.

Mayor Nystrom read the following proclamation:

PROCLAMATION

WHEREAS, on July 26, 1990, President George H.W. Bush signed into law the Americans with Disabilities Act (ADA) to ensure the civil rights of people with disabilities; and

WHEREAS, this legislation established a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities; and

WHEREAS, The City of Norwich believes that all people offer a valuable asset and contribute in a myriad of ways which are vital to the Rose City; and

WHEREAS, The City of Norwich believes that local officials should renew their commitment to creating equal opportunity for all persons with disabilities; and

WHEREAS, The City of Norwich declares the month of July 2020 to be Americans with Disabilities Awareness Month and we urge all citizens to join together to seek opportunities to promote understanding.

NOW THEREFORE, I, MAYOR PETER ALBERT NYSTROM AND NORWICH CITY COUNCIL PRESIDENT PRO TEM, MARK BETTENCOURT, ON BEHALF OF THE NORWICH CITY COUNCIL AND THE CITIZENS OF THE CITY OF NORWICH do hereby celebrate and recognize 30 years of progress that has been made by reaffirming the principles of equality and inclusion and recommitting our efforts to reach full ADA compliance to enrich and enhance the quality of life for all our citizens.

Dated this Sixth Day of July, 2020

Peter Albert Nystrom
Mayor

Mark Bettencourt
President Pro Tem

Upon a motion of Ald. Wilson, seconded by Ald. Gould, on a roll call vote it was unanimously voted to accept the letter of resignation of Charlie Magnan from the Norwich Housing Authority thanking her for her service.

Upon a motion of Ald. Gould, seconded by Ald. Myles, on a roll call vote it was unanimously voted to accept the memo from the Comptroller regarding the proposed Golf Course Authority Bond Ordinance.

City Manager Salomone report:

To: Mayor Nystrom and members of the City Council
From: John Salomone, City Manager
Subject: City Manager’s Report
Date: July 6, 2020

Meetings are still being held via conference calls and videos and included Governor Lamont updates, State representatives and legislators, Region 4 Division of Emergency Management & Homeland Security, Southeastern Council of Governments, (SCCOG), South East Area Transit (SEAT) Connecticut Conference of Municipalities (CCM), Connecticut Interlocal Risk Management Agency (CIRMA), Restaurant Reopening Committee, Public Parking Commission, Rock the Docks Committee, and the City Hall Reopening Committee.

I attended the Juneteenth gathering at the David Ruggles Courtyard in front of City Hall on June 19th. I also attended the promotion ceremony for Police Lieutenant, Anthony Gomes and Police Sergeant, Steven Schmidt who were promoted on June 30th. Congratulations to both of them.

City employees are back in their offices which several now have Plexiglas work areas to allow social distancing between employees and customers. Cleaning crews are disinfecting common areas and touchpoints a minimum of a least once a day and citizens are encouraged to conduct business via phone, mail, and email and should only visit City buildings when the business may not be done remotely in accordance with the City's Phase 1 COVID-19 Return to Work Plan.

During the month of July, the Tax Office will be accepting in-person payments Monday through Thursday from 4:30 pm to 7:30 pm and citizens must wear masks and practice social distancing. Taxpayers may also pay their taxes in person with cash or check at any Norwich Peoples United Bank branch locations.

The City's Recreation Department has been very active the past few weeks with Spaulding Pond opening on June 18th with appropriate social distancing and safety precautions being followed by the lifeguards with an average of 200 visitors a day. Recreation Camp started on June 29th and spots are still available for the upcoming weeks.

Special thanks to Kim Beyer, Ed Ibrahim, Vic Butsch, and John Egan for giving back to our community for their hard work rebuilding the concession stand at the Jennings Football Field which was struck by a car last year. The retired friends who create things in their woodshops together have donated their labor to the project saving the City several thousands of dollars. Thank you for investing in our youth.

Congratulations to Evelyn and Larry Pontbriant who received the number "1" dog tag from the City Clerk's office for their dog Maggie. Maggie is a 10 year old cockapoo who has been paralyzed twice from degenerative disc disease and is recovering. Her picture has been posted on the City's Facebook page.

Attached is the Treasurer's Report from Michael Gualtieri, for quarter ended March 31, 2020 for your review.

Mayor Nystrom called for citizen comment on resolutions.

Emails received: There were none.

Speakers via telephone: There were none.

Mayor Nystrom declared citizen comment closed.

Upon a motion of Ald. Myles, seconded by Ald. Gould, on a roll call vote it was unanimously voted to adopt the following resolution introduced by Mayor Nystrom, Ald. Gould and DeLucia.

WHEREAS, the Norwich Commission on the City Plan on May 19, 2020 voted to approve the request and application of PFR LLC for a two (2) lot Re-subdivision (SUB#431) on a parcel that includes the existing dwelling identified as 612 West Thames Street, assessor’s map 129, block 1, lot 24, subject to certain terms and conditions; and

WHEREAS, this application required the Commission on the City Plan to approve the Coastal Site Plan for SUB#431 under proceedings identified as CAM#20-01 which approval the Commission on the City Plan granted after determining that the coastal resources would not be impacted relative to this Re-subdivision and that any future development beyond that of a single-family dwelling would require referral again to the DEEP for Coastal Area Management review; and

WHEREAS, the approvals under SUB#431 and CAM#20-01 were made subject to a number of conditions including a condition

“that the final plan be revised to include a Conservation Easement to protect the steep slope towards the bottoms of the parcel, generally around the ledge area and along the 110’ contour line from West to East between the angle points of the parcel. The Conservation Easement must be acceptable to City Staff prior to the filing of mylars.”; and

WHEREAS, PFR LLC proposes to grant a Conservation Easement to the City of Norwich as required pursuant to an agreement substantially in the form of the Conservation Easement Agreement attached hereto as Exhibit “A”, provided such Agreement remains acceptable to City Staff.

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 enter into said Conservation Agreement on behalf of the City of Norwich and to accept and cause to be recorded a fully executed copy of the Conservation Easement Agreement together with such other documents are necessary in connection with this grant of a Conservation Easement.

[Conservation Easement Agreement Exhibit A](#)

Upon a motion of Ald. Wilson, seconded by Ald. Myles, on a roll call vote it was unanimously voted to adopt the following resolution introduced by City Manager Salomone.

WHEREAS, the City Manager John L. Salomone has reappointed with Councils approval as a **regular member** to the Zoning Board of Appeals for a term to expire on 2/28/22 or until a successor is appointed;

Robert Phoenix (D)

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

Mayor Nystrom stated the following resolution is being withdrawn by the sponsors:

WHEREAS, the Greater Norwich Area Chamber of Commerce and the Greater Norwich Area Business and Industry Foundation, Inc. are co-producing “Rock the Docks Summer Concert Series 2020”, a Wednesday night series of acoustic concerts to be held at the Dodd Stadium from 6:00 P.M. to 8:00 P.M. on the following dates:

- Wednesday, July 22, 2020
- Wednesday, July 29, 2020
- Wednesday, August 5, 2020
- Wednesday, August 12, 2020; and

WHEREAS, this concert series will allow the entire community to enjoy music and entertainment at a scenic location and will be subject to any and all restrictions placed by the Governor of the State of Connecticut to protect participants, including, but not limited to, the number of patrons allowed at an event, the maintenance of social distancing, and any required use of masks; and

WHEREAS, effective June 30, 2020, Minor League Baseball has been suspended for the 2020 season; and

WHEREAS, pursuant to Section 22 of that certain lease between the City of Norwich and Oneonta Athletic Corporation, the City of Norwich shall have the right to use Dodd Stadium or any part thereof for any purpose during any baseball suspension period.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that, City Manager John Salomone be and hereby is authorized to grant use of Dodd Stadium to the Greater Norwich Area Business and Industry Foundation, Inc. for the “Rock the Docks Summer Concert Series 2020”, a celebration to be held on Wednesdays as listed above or as rescheduled at Dodd Stadium, subject to satisfactory proof that the Greater Norwich Area Business and Industry Foundation, Inc. has obtained and will maintain proper insurances for the event.

Upon a motion of Ald. Gould, seconded by Ald. Myles, on a roll call vote it was unanimously voted to adopt the following resolution introduced by Mayor Nystrom, Ald. Gould and DeLucia.

WHEREAS, the Council of the City of Norwich, by a resolution adopted December 16th, 2019, authorized City Manager John Salomone to enter into an individual Real Estate Listing Agreement with Allyn and Associates Realtors offering to sell the property at 58 Division Street at a price to be recommended by Allyn and Associates Realtors; and

WHEREAS, the Council further resolved that upon receipt of a Purchase and Sales Agreement containing an offer to purchase at a price recommended by Allyn and Associates Realtors and containing such terms and conditions as were satisfactory to the City Manager, he was to notify the Council of the proposed Purchase and Sales Agreement for its consideration and possible approval; and

WHEREAS, Allyn and Associates Realtors has received offers to purchase the property, the highest offer being the sum of \$30,000 the property to be conveyed in “as is” condition.

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 enter into a Purchase and Sales Agreement on behalf of the City of Norwich to sell said property at a price of \$30,000 to Kerri Douglas of 54 Shoreview

Drive, Yonkers, New York pursuant to the terms of said Purchase and Sales Agreement and, upon timely tender of the purchase price subject to standard adjustments, to execute and deliver a deed of conveyance to Kerri Douglas of 54 Shoreview Drive, Yonkers, New York or his designee for the property known as 58 Division Street, and to execute, deliver, and receive such other documents as are necessary to complete the transfer of title in keeping with the terms and conditions of the Purchase and Sales Agreement.

Upon a motion of Ald. Wilson, seconded by Ald. Nash, it was unanimously voted to waive the full reading and set a public hearing on July 20, 2020 at 7:30 pm for the second reading and action for the following ordinance introduced by Mayor Nystrom, Ald Gould and DeLucia.

Council Ordinance

AN ORDINANCE APPROPRIATING \$410,000 FOR THE PURCHASE OF EQUIPMENT FOR THE NORWICH GOLF COURSE AND AUTHORIZING THE ISSUE OF \$410,000 OF NORWICH GOLF COURSE AUTHORITY INTERNALLY FUNDED DEBT OR 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 \$410,000 is appropriated for the purchase of golf course equipment for the Norwich Golf Course including, but not limited to, mowers, bunker rakes, sprayers, tractors and other work vehicles as well as any appurtenances, consultants and other services related thereto, all or so much of any portion of any part of the foregoing as may be accomplished within the foregoing appropriation and as determined by the Norwich Golf Course Authority (the "Authority"), and for administrative, advertising, printing, legal and financing costs (hereinafter the "Project"). Said appropriation shall be in addition to grant funding and all prior and future appropriations for said purpose.

Section 2. The total estimated cost of the Project is \$410,000. The average estimated useful life of the Project is seven years. The Projects is a general benefit to the City of Norwich (the "City") and its general governmental purposes. Project costs may be paid from bonds and notes issued by the City, obligations of the Authority (including internally funded debt), or any combination of the foregoing (collectively, the "Obligations").

Section 3. To meet said appropriation, up to \$410,000 of Obligations, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the seventh (7th) year after their date, or such later date as may be allowed by law. Said Obligations may be issued in one or more series as shall be determined by the City Manager and the Comptroller, and the amount of Obligations of each series to be issued shall be fixed by the City Manager and the Comptroller, provided that the total amount of Obligations 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 Obligations outstanding at the time of the issuance thereof and to pay for the administrative, printing and legal costs of issuing the Obligations. The Obligations shall bear such rate or rates of interest as shall be determined by the City Manager and the Comptroller. The City 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. The City bonds shall be general obligations of the City and 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 Obligations, annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such Obligations, 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") including Section 7-130r of the Statutes. Each Obligation shall recite that every requirement of law relating to its issue has been duly complied with, that such Obligation is within every debt and other limit prescribed by law. In connection with the issuance of any City 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 City bonds or notes.

Section 4. The issue of the Obligations and of all other obligations of the City and the Authority heretofore issued and outstanding or 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 Obligations 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 City 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 Obligations. City 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. Any temporary Obligations shall be issued with maturity dates which comply with the provisions of the Statutes governing the issuance of such obligations, as the same may be amended from time to time. Any City notes shall be general obligations of the City and 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. Each temporary Obligation shall recite that every requirement of law relating to its issue has been duly complied with, that such obligation is within every debt and other limit prescribed by law. The net interest cost on such temporary Obligations, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or Obligations, shall be included as a cost of the Property. Upon the sale of any Obligations 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 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 Project with the proceeds of the Obligations authorized to by the City. The Obligations 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 City 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 Obligations, 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 Obligations 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, notes or other obligations of the City outstanding as of the date of such allocation, and the bonds, notes or obligations 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 Obligations 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 City bonds or notes relating to the Project in accordance with the provisions of the Statutes and the laws of the United States.

Section 12. That the principal and interest on any Obligations issued for the Project shall be repaid to the City by the Authority from funds in the Authority’s operating budget and/or reserve accounts and any other funds available to the Authority, and that the City Council hereby authorizes the City Manager and the Comptroller to take such actions, and execute such repayment agreements, memoranda of understanding, instruments and documents with the Authority, on behalf of the City, that they deem necessary, appropriate or desirable to consummate the intendment of this Ordinance.

Upon motion of Ald. Gould, seconded by Ald. Wilson, on a roll call vote it was unanimously voted to adjourn at 7:50 pm.



Betsy M. Barrett
 City Clerk