

The regular meeting of the Council of the City of Norwich was held July 16, 2018, at 7:30 PM in Council Chambers. Present: Mayor Nystrom, Ald. Nash, Gould, Philbrick, DeLucia, Burnham and Browning. City Manager Salomone and Corporation Counsel Michael Driscoll were also in attendance. Mayor Nystrom presided.

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

Upon a motion of President Pro Tem Nash, seconded by Ald. Gould, it was unanimously voted to suspend the rules to add the following as Resolution six (6), introduced by Mayor Nystrom.

WHEREAS, Global City Norwich, and Peruvians United of Connecticut (Peruanos Unidos de Connecticut) propose to host a Peruvian Fest to be held on Sunday, July 29, 2018 from 2:00 p.m. to 6:00 p.m. on Franklin Street between Bath and Willow with the permission of the City of Norwich; and

WHEREAS, a number of events have been scheduled to be held on Franklin Street as part of the Peruvian Fest including activities designed for children and special features, with information tents, and food and retail vendors; and

WHEREAS, the Chief of Police as traffic authority has recommended the closure of Franklin Street to vehicular traffic between the intersections of Franklin Street with Bath and Willow Streets, closure to commence at 12:00 noon and run to 7:00 p.m. on July 29, 2018; and

WHEREAS, the Council of the City of Norwich by this resolution intends to grant permission for this use of Franklin Street, to express its support of the Peruvian Fest and its sponsors, and to welcome it and the many visitors it will attract to downtown Norwich

NOW THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF NORWICH, that it is in support of the Peruvian Fest to be held Sunday, July 29, 2018 from 2:00 p.m. to 6:00 p.m. authorizing it to be held then on Franklin Street with vehicular traffic restricted in accordance with the recommendation of the Chief of Police as Traffic Authority.

Upon a motion of President Pro Tem Nash, seconded by Ald. Gould, it was unanimously voted to suspend the rules to add the following as Resolution seven (7), introduced by Mayor Nystrom.

WHEREAS, the Norwich Harbor Management Commission and the Greater Norwich Area Chamber of Commerce are co-producing “Rock the Docks Summer Concert Series 2018”, including Rockin’ the Greens, a Friday night series of acoustic concerts to be held at the Norwichtown Green from 6:00 P.M. to 8:00 P.M. on the following dates:

- Friday, July 20, 2018
- Friday, July 27, 2018
- Friday, August 10, 2018
- Friday, August 17, 2018
- Friday, August 24, 2018 (Rain Date if needed); and

WHEREAS, this concert series will allow the entire community to enjoy music and entertainment at a scenic location; and

WHEREAS, the Greater Norwich Area Business and Industry Foundation, Inc., established through the Greater Norwich Area Chamber of Commerce, proposes to make available beer and wine for sale during this concert series to patrons at a location on the Norwichtown Green, the proceeds of which sales shall be used to support the concert series with the sales to be handled by an appropriately licensed and permitted entity.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that, pursuant to Section 13.14.2 of the Norwich Code of Ordinances, City Manager John Salomone be and hereby is authorized to grant the Greater Norwich Area Business and Industry Foundation, Inc. permission to sell beer or wine the “Rock the Docks Summer Concert Series 2018” celebration to be held on Fridays as listed above or as rescheduled at the Norwichtown Green, subject to satisfactory proof that the Greater Norwich Area Business and Industry Foundation, Inc. has complied with the applicable regulations of the State Liquor Commission; that identification will be mandatory from each person purchasing an alcoholic beverage; that the sales of beer and wine will be made under a proper liquor license, and that proper insurances will be obtained and maintained by the Greater Norwich Area Business and Industry Foundation, Inc. and any vendor of beer and/or wine for the event.

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

Mayor Nystrom called for citizen comment.

Marvin Serruto, 100 Starr St., spoke with gratitude for having the lifeguards at Spaulding Pond and for the wonderful fireworks display. He also expressed concern for the Sherman St. Bridge in need of work.

Beryl Fishbone, 19 Bliss Pl., spoke with gratitude for the lifeguards and announced an event coming up on August 12, 2018 for people to paint, sketch or photograph Mohegan Park.

David Crabb, 47 Prospect St., spoke with gratitude to Mr. Farwell and the staff at the Otis Library for assisting him with his project.

Suki Lagrito, 22 Williams St., spoke with gratitude to the City for helping the Peruvian Fest take place.

Mayor Nystrom declared citizen comment closed.

Mayor Nystrom called for a Public Hearing on **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**

Speaking in favor:

Linda Theodoro, 37 Taftville Occum Rd., spoke with enthusiasm for this Ordinance in bringing us up to speed with the 21st century.

Marvin Serruto, 100 Starr St., wanted to remind the council to be fiscally responsible.

Speaking in Opposition:

Rodney Bowie, 62 Roosevelt Ave., spoke in opposition stating not enough research has been done. This should have been a budget item and he is against bonding.

David Crabb, 47 Prospect St., stated that he feels this is a supplemental budget and that it is strictly against the Charter.

Robert Anders, 31 East St., feels that this item should have been part of the budget and should be something planned ahead of time as 70% of the city budget goes to the Board of Education.

Brian Kobylarz, 16 Hobart Ave., cautioned the consolidation of the computer systems as it brings in outside vendors and may create security issues. Stressed the need for cyber security measures to be taken.

There being no further speakers Mayor Nystrom declared the public hearing closed.

Mayor Nystrom called for a Public Hearing on **AN ORDINANCE PROVIDING REGULATION TO ELIMINATE ILLICIT DISCHARGES AND ILLEGAL CONNECTIONS TO STORM WATER DRAINAGE SYSTEMS FOR CONTROLLING THE INTRODUCTION OF POLLUTANTS INTO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)**

Speaking in favor:

Patrick McLaughlin, City Engineer, explained that MS4 is Municipal Separate Sewer System and will help the city comply with the current MS4 regulations. This will ensure enforcement of pollutants that may be entering our storm waters systems.

Marvin Serruto, 100 Starr St., agreed with the importance of this and wondered why this hasn't been done many years ago.

Deanna Rhodes, City Planner, spoke of the importance of this ordinance and wants to make sure the waters of the city are protected.

Rodney Bowie, 62 Roosevelt Ave., felt that this should be a common sense type of thing and that people who may be violators are not criminals.

Speaking in Opposition:

David Crabb, 47 Prospect St., stated a lot of work needs to be done before this can be implemented.

There being no further speakers Mayor Nystrom declared the public hearing closed.

Mayor Nystrom called for the second reading and action on **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**

Upon a motion of President Pro Tem Nash, seconded by Ald. Gould, it was unanimously voted to waive the reading of the full text and incorporate it into the minutes.

Upon a motion of President Pro Tem Nash, seconded by Ald. Gould, to adopt 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 (20th) 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.

The above ordinance passed on a roll call vote of 7-0.

MAYOR NYSTROM CALLED FOR THE SECOND READING AND ACTION ON AN ORDINANCE PROVIDING REGULATION TO ELIMINATE ILLICIT DISCHARGES AND ILLEGAL CONNECTIONS TO STORM WATER DRAINAGE SYSTEMS FOR CONTROLLING THE INTRODUCTION OF POLLUTANTS INTO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

Upon a motion of Ald. Browning seconded by Ald. Burnham, it was unanimously voted to waive the reading of the full text and incorporate it into the minutes.

Upon a motion of Ald. Browning seconded by Ald. Burnham, to adopt the following ordinance introduced by Mayor Nystrom and President Pro Tem Nash and Ald. Gould.

AN ORDINANCE PROVIDING REGULATION TO ELIMINATE ILLICIT DISCHARGES AND ILLEGAL CONNECTIONS TO STORM WATER DRAINAGE SYSTEMS FOR CONTROLLING THE INTRODUCTION OF POLLUTANTS INTO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH that Chapter 21 of the Norwich Code of Ordinances be amended by the addition of an Article VII – Sections 21-135 through 21-156 as more particularly set forth herein

SECTION 21-135. PURPOSE/INTENT.

The purpose of this Article is to provide for the public health and safety, the environment, and the general welfare of the citizens of Norwich through the regulation of Non-Storm Water Discharges to the Storm Drainage System to the maximum extent practicable as required by federal and state law. This Article establishes methods for controlling the introduction of Pollutants into the Municipal Separate Storm Sewer System in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this Article are:

- (a) To prohibit and eliminate Illicit Discharges and Illegal Connections to the Municipal Separate Storm Sewer System; and
- (b) To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this Article.

SECTION 21-135.1. APPLICABILITY

The provisions of this Article shall apply to all water entering the Municipal Separate Storm Sewer System throughout the City of Norwich. The Director of Public Works together with such employees of the Department of Public Works of the City of Norwich as he may designate shall administer, implement, and enforce the provisions of this Article.

SECTION 21-136 DEFINITIONS.

For the purposes of this Article, the following shall mean:

Authorized Enforcement Agency: The Director of Public Works and such employees of the Administrative and Engineering Division of the Department of Public Works as he may designate in writing to do so shall be authorized to enforce this Article.

Best Management Practices (BMPs): Any schedules of activities, practices prohibitions of practices, structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of Pollutants into waters of the state consistent with state, federal or other equivalent and technically supported guidance. Best Management Practices also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from material storage.

Clean Water Act. The federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Construction/Demolition Activity. Any activity associated with construction or demolition at a site including, but not limited to, clearing and grubbing, grading, excavation, and dewatering.

Hazardous Materials. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illicit Discharge. Any direct or indirect Non-Storm Water Discharge to the Municipal Separate Storm Sewer System, except as exempted by Sections 21-137 or 21-140 of this Article.

Illegal Connections. An Illegal Connection – shall consist of either of the following: a) Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an Illicit Discharge to enter the Storm Drainage System including but not limited to any conveyances which allow any Non-Storm Water Discharge including sewage, process wastewater, and wash water to enter the Storm Drainage System and any connections to the Storm Drainage System from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved; or b) any pipe, open channel, drain or conveyance connected to the Municipal Separate Storm Sewer System which has not been documented in plans, maps, or equivalent records and approved by the Authorized Enforcement Agency.

Industrial Activity. Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14) or C.G.S. §22a-430b.

Municipal Separate Storm Sewer System means any facility designed or used for collecting and/or conveying Storm Water, including but not limited to any roads with drainage systems, highways, municipal streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, Structural Storm Water Controls, ditches, swales, natural and man-made or altered drainage channels, reservoirs, and other drainage structures, and which is owned or maintained by the City of Norwich.

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit means a permit issued by the Connecticut Department of Energy and Environmental Protection (CT DEEP) under authority designated pursuant to 33 USC § 1342(b) that authorizes the discharge of Pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-Storm Water Discharge. Any discharge to the Storm Drainage System that is not composed entirely of Storm Water.

Person. Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

Pollutant. Anything which causes or contributes to Pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids, cooking oil or grease; detergents, (biodegradable or otherwise); degreasers; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from the construction or demolition of a building or structure; and noxious or offensive matter of any kind.

Pollution means the contamination or other alteration of any water's physical, chemical, or biological properties by the addition of any constituent and includes, but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, and other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Storm Water Runoff or Storm Water means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Storm Drainage System see Municipal Separate Storm Sewer System. Publicly-owned facilities by which Storm Water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

Storm Water Management Plan. A plan including any documents, which describes the Best Management Practices and activities to be implemented by a Person or business to identify sources of pollution and contamination at a site and the actions to eliminate or reduce Pollutant discharges to the Municipal Separate Storm Sewer System.

Structural Storm Water Control means a structural Storm Water management facility or device that controls Storm Water Runoff and changes the characteristic of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow.

Wastewater. Any water or other liquid, other than uncontaminated Storm Water.

SECTION 21-137. EXEMPTION.

This Article shall apply to all water entering the Storm Drainage System generated on any developed and undeveloped Premises unless explicitly exempted by an Authorized Enforcement Agency.

SECTION 21-138. SEVERABILITY.

The provisions of this Article are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Article or the application thereof to any Person, establishment, or circumstances shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this Article, and such invalidity shall not affect the remaining provisions or application of this Article.

SECTION 21-139. ULTIMATE RESPONSIBILITY.

The standards set forth herein and promulgated pursuant to this Article are minimum standards; therefore this Article does not intend or imply that compliance by any Person will ensure that there will be no contamination, Pollution, or not result in an unauthorized discharge of Pollutants.

SECTION 21-140. DISCHARGE PROHIBITIONS.

Prohibition of Illicit Discharges.

No Person shall discharge or cause to be discharged into the Municipal Separate Storm Sewer System or into watercourses any materials, including but not limited to, Pollutants or waters containing any Pollutants that cause or contribute to a violation of applicable water quality standards, other than Storm Water.

The commencement, conduct, or continuance of any Illicit Discharge to the Municipal Separate Storm Sewer System is prohibited except as follows:

The following discharges are exempt from discharge prohibitions established by this Article:

- (a) uncontaminated ground water discharges including, but not limited to, pumped ground water, foundation drains, water from crawl space pumps and footing drains; uncontaminated irrigation water including, but not limited to, landscape irrigation and lawn watering runoff; residual street wash water associated with sweeping; discharges or flows from firefighting activities (except training); and naturally occurring discharges such as rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)), springs, diverted stream flows and flows from riparian habitats and wetlands.
- (b) Any Non-Stormwater Discharge to the Municipal Separate Storm Sewer System authorized by a permit issued pursuant to Section 22a-430 or 22a-430b of the Connecticut General Statutes, as amended.

Prohibition of Illegal Connections.

- (a) The construction, use, maintenance or continued existence of Illegal Connection to the Storm Drainage System is prohibited.
- (b) This prohibition expressly includes, without limitation, any Illegal Connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (c) A Person is considered to be in violation of this Article if the Person connects a line conveying sewage to the Municipal Separate Storm Sewer System, or allows such a connection to continue unless permitted pursuant to the Storm Management Plan.

SECTION 21-141. SUSPENSION OF MUNICIPAL SEPARATE STORM SEWER SYSTEM ACCESS.

Suspension due to Illicit Discharges in Emergency Situations

The Director of Public Works or his designee may, without prior notice, suspend Municipal Separate Storm Sewer System discharge access to any Person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health, safety, or welfare of the public, to the Municipal Separate Storm Sewer System, or to the Waters of the United States. If the Director of Public Works or his designee issues a suspension order, or if any Person fails to comply with a suspension order issued hereunder, the Authorized Enforcement Agency may take such steps as it deems necessary to prevent or minimize risk or damage to the environment, the public, the Municipal Separate Storm Sewer System, the Waters of the United States, or to minimize risks and dangers to Persons.

Suspension due to the Detection of Illicit Discharge

Any Person discharging to the Municipal Separate Storm Sewer System in violation of this Article may have their Municipal Separate Storm Sewer System access terminated if such termination will abate or reduce an Illicit Discharge. The Authorized Enforcement Agency will notify any Person in violation of the proposed termination of its Municipal Separate Storm Sewer System access. Any Person in violation may petition the Authorized Enforcement Agency for a reconsideration and hearing.

A Person commits an offense if the Person reinstates Municipal Separate Storm Sewer System access to Premises terminated pursuant to this Section, without the prior approval of the Authorized Enforcement Agency.

SECTION 12-142. INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES PURSUANT TO NPDES STORM WATER DISCHARGE PERMIT.

Any Person who is subject to an industrial or construction activity NPDES Storm Water Discharge Permit shall comply with all provisions of such Permit. Such Person shall be required to submit proof of compliance with such Permit to the Authorized Enforcement Agency on a form acceptable to the Director of Public Works prior to the permitting of discharges to the Municipal Separate Storm Sewer System.

SECTION 12-143. MONITORING OF DISCHARGES.

(a) Applicability.

This section applies to all Premises, or facilities that have discharges into the Municipal Separate Storm Sewer System associated with industrial activity, including Construction/Demolition activity.

(b) Access to Premises; Right of Entry; Inspections.

- (1) The Director of Public Works or his designee shall be permitted to enter onto and inspect any Premises subject to regulation under this Article as often as may be necessary to determine compliance with this Article.
- (2) All Persons owning or operating Premises or facilities subject to regulation under this Article shall permit the Director of Public Works or his designee access to all parts of the Premises or facility for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge Storm Water, and the performance of any additional duties as defined by state and federal law.
- (3) The Director of Public Works or his designee shall have the right to, and be permitted to, set up such devices as are necessary in the opinion of the Authorized Enforcement Agency to conduct monitoring and/or sampling of Storm Water discharge.
- (4) The Director of Public Works or his designee may require any Person discharging Storm Water subject to regulation under this Article to install monitoring equipment as necessary to detect and eliminate any Illicit Discharge. Sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by such Person at such Person's expense. All devices used to measure Storm Water flow and quality shall be properly calibrated to ensure their accuracy.
- (5) All Persons causing or responsible for any temporary or permanent obstruction to safe and easy access to the Premises to be inspected and/or sampled shall promptly remove the same at the written or oral request of the Director of Public Works or his designee and such obstruction shall not be replaced. The costs of clearing such obstructions shall be borne by such Person.
- (6) Unreasonable delays in allowing the Director of Public Works, or his designee, access to a Premises shall be a violation of a Storm Water discharge permit and of this Article. A Person allowed by a NPDES permit

to discharge Storm Water associated with industrial activity shall commit an offense if such Person denies the Director of Public Works or his designee reasonable access to the Premises for the purpose of conducting any activity authorized or required by this Article.

(7) If the Director of Public Works or his designee has been refused access to any part of a Premises from which Storm Water is discharged, and has probable cause to believe that there may be a violation of this Article, or that there is a need to inspect and/or sample as part of an inspection and sampling program designed to verify compliance with this Article or any order issued hereunder, or to protect the overall public health, safety and welfare of the community, or the environment the Director of Public Works or his designee may seek the issuance of a search warrant from any court of competent jurisdiction.

SECTION 21-144. REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORM WATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES.

The Authorized Enforcement Agency shall adopt regulations and establish requirements identifying Best Management Practices for any activity or operation on any Premises, which may cause or contribute to Pollution or contamination of Storm Water, the Storm Drainage System, or the Waters of the United States. Any Person owning or operating a commercial or industrial facility or establishment shall provide, at such Person's own expense, such reasonable precautions and protections against accidental discharge of Pollutants, prohibited materials, and other wastes into the Municipal Separate Storm Sewer System, or into watercourses, through the implementation and use of the structural and non-structural Best Management Practices.

Any Person responsible as owner, tenant, or operator of any Premises, which is, or is at risk of becoming, the source of an Illicit Discharge may be required for the protection of the public and for the elimination of Pollution to implement, at said Person's expense, additional structural and non-structural Best Management Practices to prevent or reduce the discharge of Pollutants into the Municipal Separate Storm Sewer System.

Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of Storm Water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section provided these Best Management Practices shall be part of a Storm Water Pollution Prevention Plan (SWPP) when necessary for compliance with requirements of the NPDES permit.

SECTION 21-145. WATERCOURSE PROTECTION.

Every Person owning or occupying as a tenant any Premises through which a watercourse passes, shall keep and maintain the watercourse within the Premises free of trash, debris, excess vegetation, and other obstacle or obstacles that would pollute, contaminate, or significantly retard the natural flow of water through the watercourse. Any such Person shall also maintain all existing structures owned or controlled by such Person within or adjacent to a watercourse, so that such structures will not represent or become a hazard to the use, function, or physical integrity of such watercourse.

SECTION 12-146. NOTIFICATION OF SPILLS.

Notwithstanding any other requirements of law, any Person responsible for requesting an emergency response for a Premises shall, upon becoming aware of or having reasonable cause to suspect the release of materials which may as a consequence result in an Illicit Discharge, or the introduction of Pollutants into Storm Water, into the Municipal Separate Storm Sewer System, or into the Waters of the United States, be

required to initiate and take all necessary steps to ensure the discovery, containment, and cleanup of such release.

In the event of such a release of Hazardous Materials such Person shall notify the Director of Public Works within 48 hours. Any notifications made by phone or delivered in person must be confirmed by a written notice delivered or mailed to the Director of Public Works within 72 hours of the initial notification. Whenever the discharge of Hazardous Materials or of other prohibited materials emanates from a commercial or industrial operation, any Person owing or operating the same shall retain an on-site written record of the discharge, and of all actions taken to address the same and to prevent any recurrence. Such records shall be required to be retained for at least three years from the date of recording.

SECTION 21-147. VIOLATIONS, ENFORCEMENT, PENALTIES, AND CITATION PROCESS

(a) Violation.

It shall be unlawful for any Person to violate any provision or fail to comply with any of the requirements of this Article. Any Person who has violated or continues to violate the provisions of this Article, may be subject to the enforcement actions outlined in this section and sections 1-8 and 1-9 of the Norwich Code of Ordinances, as well as any additional enforcement actions outlined in this Article, or may be restrained by injunction or otherwise abated in the manner provided by law. The provisions of section 1-9 of the Norwich Code of Ordinances requiring the issuance of a written warning providing notice of the specific violation before the issuing of a citation shall not apply to citations issued pursuant to this Article.

In the event a violation constitutes an immediate danger to public health or public safety, the Director of Public Work, or his designee is authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property. The Director of Public Works is authorized to seek cost of the abatement as outlined in Section 21-150.

(b) Citation of Notice of Violation

Whenever the Director of Public Work, or his designee finds that a Person has violated a prohibition or failed to meet a requirement of this Article, the Director of Public Works or his designee may order compliance by written citation delivered in person or by the United States Postal Services by certified mail, return receipt requested to such Person or to the occupant or owner of the Premises if different. Such citation shall contain the following:

- (1) The name and address of such violators;
- (2) The address when available or a description of the building, structure, Premises, or parcel of land upon which the violation is occurring or has incurred;
- (3) A statement specifying the nature of the violation;
- (4) A description of the remedial measures necessary to restore compliance with this Article and a time schedule for the completion of such remedial action. It shall not be the responsibility of Norwich, the Director of Public Works or his designee to formulate or design any remedial systems;
- (5) A statement of the amount of the fines, penalties, costs or fees due;
- (6) A statement that the cited person may contest liability before a hearing officer by delivering in person or by mail written notice within 10 days from the date of receipt of the written citation;

- (7) A statement that if a hearing is not demanded, an assessment and judgment shall be entered against the cited person;
- (8) A statement that such judgment may issue without further notice.

Such citation or any notice of violation may require without limitation:

- (1) The performance of monitoring, analyses, and reporting;
- (2) The elimination of Illicit Discharges and Illegal Connections;
- (3) That the violating discharges, practices, or operations shall cease and desist;
- (4) The abatement or remediation of Storm Water pollution or contamination hazards and the restoration of any affected property; and
- (5) Payment of cost to cover administrative and abatement cost;
- (6) The implementation of pollution prevention practices acceptable to Norwich;
- (7) The suspension of any discharge to the Municipal Separate Storm Sewer System consistent with Section 21-141 of this Article;
- (8) The implementation of source control and/or implementation of Best Management Practices in treatment;
- (9) The reporting of the violation to the Connecticut Department of Energy and Environmental Protection (CTDEEP) and/or the United States Environmental Protection Agencies (EPA).

If abatement of a violation and/or restoration of affected Premises is required, the citation shall set out a time deadline within which the required remediation or restoration must be completed. When such abatement or elimination of the violation is not possible within 60 days of source confirmation, a schedule for the abatement of the violation and/or restoration of the affected premises must be established for a period not to exceed 180 days.

SECTION 21-148. APPEAL AND ENFORCEMENT OF CITATION.

The provisions of Section 1-9 of the Norwich Code of Ordinances with respect to the appeal from or the enforcement of citations shall apply to citations issued pursuant to this Article.

SECTION 21-149. ENFORCEMENT MEASURES AFTER APPEAL.

If the violation has not been corrected pursuant to the requirements set forth in the citation, or, in the event of an appeal, upon a decision upholding the decision of the Authorized Enforcement Agency, the Director of Public Works or his designee with such contractual support that they may require, may enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any Person, owner, agent or Person in possession of any Premises to refuse to allow entrance upon the Premises for the purposes set forth herein.

SECTION 21-150. COST OF ABATEMENT OF THE VIOLATION.

Within 30 days after abatement of the violation, the owner of the Premises will be notified of the cost of abatement, including administrative costs. The owner of the Premises may file a written protest to the Director of Public Works objecting to the assessment or to the amount of the assessment within 30 days. A hearing on the abatement assessment appeal shall be scheduled before a hearing officer within 60 days from the date of receipt of the notice of appeal. The alleged violator or his designee may be present at such hearing to present their position as to why the assessment or the amount of the assessment is unfair or unwarranted.

If the amount due is not paid within 30 days after receipt of notice of the same, or an appeal is taken but not sustained, the charges shall become a special assessment against the property and shall constitute a lien on the property in the amount of the assessment after the expiration of the appeal period.

SECTION 21-151. INJUNCTIVE RELIEF.

It shall be unlawful for any Person to violate any provision or fail to comply with any of the requirements of this Article. If a Person has violated and continues to violate the provisions of this Article, the Director of Public Works or his designee may seek a preliminary and permanent injunction restraining the Person from activities which would create any further violation or compel the Person to perform abatement or remediation of the violation.

SECTION 21-152. COMPENSATORY ACTION.

In lieu of enforcement proceedings, penalties, or remedies authorized by this Article, the Director of Public Works or his designee may require any Person in violation of this Article to engage in alternative compensatory actions, such as, but not limited to, storm drain stenciling, waterway cleanup, and attendance at compliance workshops.

SECTION 21-153. VIOLATIONS DEEMED A PUBLIC NUISANCE.

In addition to the enforcement processes and penalties provided herein, any condition caused or permitted to exist in violation of any provisions of this Article is a threat to public health, safety, and welfare, and to the environment and may be summarily abated or restored at the expense of the Person in violation, and/or abated by injunctive or other equitable relief as provided by law.

SECTION 21-154. CRIMINAL PENALTIES.

For the intentional and flagrant violation of this Article, the Director of Public Works may refer the violation to the United States Environmental Protection Agency (EPA) for enforcement penalties under Sections 309 and 311 of the Clean Water Act.

Any Person violating or continuing to violate this Article shall be liable to criminal prosecution to the extent available at law, and Norwich may recover its cost associated with the enforcement of this Article, including sampling and monitoring expenses in connection with the same.

SECTION 21-155. REMEDIES NOT EXCLUSIVE.

The remedies listed in this Article are not exclusive of any other remedies available under any applicable federal, state, or local law and the Director of Public Works or his designee may seek cumulative remedies.

SECTION 21-156. ADOPTION OF ARTICLE.

This Article shall take effect on the 10th day of its passage and publication.

The above ordinance passed on a roll call vote of 7-0.

Assistant City Clerk read the report from the Commission on the City Plan:

CITY OF NORWICH
Commission on the City Plan
23 Union Street, Norwich, CT 06360
Telephone: (860) 823-3739, Fax: (860) 823-3741

Art Sharron, Chairman

July 13, 2018

TO: THE HONORABLE MAYOR AND ALDERPERSONS OF THE COUNCIL OF THE CITY OF NORWICH

RE: Resolution relative to consideration of property acquisition of 226-230 Yantic Street, Norwich CT from Clifford Larkin for access to parking at the Uncas Leap project.

The Commission on the City Plan, at its **July 13, 2018 Special** meeting reviewed the above-referenced referral.

Seated were Chairman Art Sharron, Frank Manfredi, and Swarnjit Singh Bhatia. After careful consideration, the Commission voted to forward a **FAVORABLE** recommendation to the Council, pursuant to Chapter XV, Section 4 of the City Charter.

Reason: The Master Plan for the Uncas Leap Heritage Park Project shows this parcel as an integral part of the park design and the acquisition of the property is consistent with goals of the Plan of Conservation and Development.

Respectfully submitted,

Art Sharron (ps)
Art Sharron, Chairman

AS/dd

Pc: City Clerk, City Manager, City Planner

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TOWN CITY CLERK
NORWICH CT

Upon a motion of President Pro Tem Nash seconded by Ald. Gould, it was unanimously voted to accept the following report from Report from the Commission on the City Plan the property at 226-230 Yantic Street.

City Managers Report:

To: Mayor Nystrom and members of the City Council
From: John Salomone, City Manager
Subject: City Manager's Report
Date: July 16, 2018

I attended a meeting at the Reid & Hughes site with the Mayor, staff, Senior Project Manager, Christine Rodgers of the Women's Institute and Jason Ziegler, owner of the Shannon Building. Work is progressing

ahead of schedule. I attended the monthly Public Safety Meeting and also a recap meeting of the Emergency Planning & Preparedness Hurricane Drill that was held in June. At the EPPI meeting, staff and I reviewed and discussed comments from department heads and exterior agencies that participated in the drill and updated the plan to create a safer community in the event of a weather emergency.

I received notification from the CT State Library Office of the Public Records Administrator, that the Clerk's Office has received a Historic Documents Preservation Grant in the amount of \$6,500. This will allow the Clerk's office to preserve an additional 60 books/volumes from years 1964 and prior.

Tax payments are being accepted at the Norwich People's Bank branches during the month of July. The bank is also handling the lockbox payments which allows the City to invest the funds within 24 hours of payment processing. This has also resulted in shorter wait times for individuals paying in person at City Hall. As of Tuesday July, 10th, 1064 envelopes have been processed which could include more than 1 tax payment (ie: real estate & car) for a total of \$1,342,161.09 and 148 individual payments at the branches totaling \$147,911.99.

The Harbor Management Commission has created a survey to get input and set priorities for managing the Norwich Harbor. A press release was sent to the local papers and a link to the survey is on the City's website. I invite citizens to take a few moments to complete the survey. The results will be presented at a public meeting later this summer.

I have received notice from the U.S Department of Justice regarding the investigation work of the Norwich Police Department. Their work has led to the imprisonment of a drug dealer who distributed narcotics to a Norwich overdose victim last year. Thank you to the officers that assisted in this case.

Thank you to the Norwich Fireworks Committee and sponsors of the annual July celebration. Thousands of people filled Brown Park and the marina to enjoy the festivities and view the fireworks.

I have attached the Department Heads Reports for quarter ending June 30, 2018.

Click here for the [Department Head Quarterly Reports](http://norwichct.org/ArchiveCenter/ViewFile/Item/793) : or type the following into your browser:
<http://norwichct.org/ArchiveCenter/ViewFile/Item/793>

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

WHEREAS, Clifford R. Larkin is the owner of certain property known as 226-230 Yantic Street, Norwich, Connecticut, a description of which is attached to this resolution as Exhibit A; and

WHEREAS, the City of Norwich offered to purchase said property from Mr. Larkin for access to property to be used for parking in connection with the Uncas Leap Project; and

WHEREAS, through negotiation, City Manager John Salomone and Clifford Larkin reached an agreement whereby the City will purchase the property at 226-230 Yantic Street from Mr. Larkin for a price of \$9,000 net to Mr. Larkin; and

WHEREAS, the Council of the City of Norwich, having received a favorable recommendation, from the Commission of the City Plan finds the purchase to be in best interest of the City of Norwich.

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 satisfactory to him with Clifford R. Larkin to acquire said property for \$9,000 plus such adjustments as will result in this being a net figure to Clifford Larkin; funds for the purchase to be taken from the Capital Contingency Account 10218-88000 in an amount sufficient to result in a net payment of \$9,000 to Clifford Larkin, but in no event in a sum greater than \$9,750 without subsequent council approval; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that City Manager John Salomone, be and hereby authorized and directed to receive and record a deed of conveyance to the City of Norwich of the property at 226-230 Yantic Street satisfactory to him and receive, execute and deliver such other documents as are necessary to complete the transaction.

EXHIBIT A

A certain tract or parcel of land with the buildings and all other improvements thereon being situated on Yantic Street, in the Town of Norwich, County of New London, and State of Connecticut, and being designated as Lot No. 24 on a plan entitled, "Plan made for The Falls Company of Norwich, Conn. By Chandler & Palmer, Norwich, Conn., July, 1936", which plan is on file in the Norwich Town Clerk's Office, said lot is more particularly bounded and described as follows:

Beginning at a point on the westerly line of Yantic Street, northerly side, 1 foot northerly of the northerly range of the house standing hereon and running thence westerly about 32.4 feet to the southwest corner of land of B.W. Wojtasiak; thence running southerly, abutting westerly on land of the Central Vermont Railroad Co. about 40.4 feet to a point 5 feet northeasterly from the gauge line of the northeasterly rail of the spur track; thence running southeasterly on a line 5 feet northeasterly from the parallel to the northeasterly rail of said spur tract about 63.6 feet to land deeded by the Falls Company to the City of Norwich, recorded in Book 123, page 58, dated November 23, 1903; thence running northeasterly about 39.5 feet to the westerly line of Yantic Street abutting southeasterly on said City of Norwich land; thence running northerly along the westerly line of Yantic Street about 49.3 feet to the point of beginning.

Said premises are conveyed subject to such rights in others as of record appear with regard to the use, maintenance and repair of sewer, water or drain pipes crossing the above described premises, and also subject to the right of the Falls Company, its successors and assigns, to use as much as may be necessary (of the premises) for the purpose of loading and unloading from said spur tracks and to drive across the premises northerly from the houses to and from Yantic Street.

Mayor Nystrom called for citizen comment on resolutions.

Linda Theodoro, 37 Taftville Occum Rd. spoke in reference to Resolution four (4) on the Rules of Procedure she suggests that each party have one spokesperson for their group it doesn't have to be the same person every time.

David Crabbe, 47 Prospect St., spoke on Resolutions four (4) & five (5). He recommends for Resolution four (4) to standardize the language use with regard to "the order of business" throughout the resolution. For Resolution five (5), there is no money listed and he feels Personnel and Pension should be limited to one City Employee.

Mayor Nystrom declared citizen comment on resolutions closed.

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

Relative to the aggregate sums representing motor vehicle and personal property taxes on the Grand List October 1, 2015 being transferred to the suspense account.

WHEREAS, there is on file in the Tax Collector’s Office the names and addresses of the persons against whom motor vehicle taxes and personal property taxes on the Grand Lists up to and including 2015, were levied and the reasons why the Tax Collector believes such taxes are uncollectible; and,

WHEREAS, in accordance with the Tax Collector’s recommendation the aggregate sum of \$387,057.27 is the total outstanding motor vehicle tax on the Grand Lists up to and including 2015, to be transferred to the suspense tax book and \$71,940.50 is the total outstanding personal property tax on the Grand Lists up to and including 2015, to be transferred to the suspense tax book; and,

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

WHEREAS, in June 2018, through RFP 18-12, the City selected TaxServ Capital Services LLC to pursue the collection of such accounts.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that the following aggregate sums representing motor vehicle taxes of \$387,057.27 and personal property taxes of \$71,940.50 on the Grand Lists up to and including 2015, be and the same hereby are transferred to the suspense account.

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

BE IT RESOLVED that the below named be re-appointed to the Uncas Health District for a term to expire on January 9, 2020 or until a successor is appointed:

William Warzecha (D)
Frank J Jacaruso Jr. (D)

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

WHEREAS, the United War Veterans Grand Army of the Republic Buckingham Memorial Association, Inc. (United War Veterans) possesses a bronze plaque of Lincoln’s Gettysburg Address mounted on marble which plaque is presently in storage; and

WHEREAS, the United War Veterans has offered to loan this plaque to the City of Norwich for appropriate display, preferably in connection with the Lincoln portrait and banner; and

WHEREAS, the plaque and mounting are estimated to weigh approximately 200 lbs. and will require secure support to be displayed.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that City Manager John Salomone, be and hereby is requested by the Council of the City of Norwich, using the assistance of the Department of Public Works and at such other assistance as he deems to be necessary, to attempt to determine a location and establish a method of securing the bronze plaque and mount at city hall or its grounds preferably to be displayed in a location adjacent to or near the Lincoln portrait and the Lincoln banner or so as to complement the same; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that, if such a location for a public display can be located and if the plaque and mount can be securely displayed at that location, then City Manager John Salomone shall be and hereby is authorized and directed to enter into the Loan Agreement, a copy of which is attached hereto as Exhibit A, with the United War Veterans Grand Army of the Republic Buckingham Memorial Association, Inc., and to deliver to the United War Veterans a duplicate original of the same.

Upon a motion of Ald. Gould, seconded by Ald. Philbrick, it was voted to put the following resolution introduced by Ald. DeLucia, Browning and Burnham on the floor.

Upon a motion of Mayor Nystrom seconded by Ald. Gould to table the following resolution.

The following resolution was tabled on a roll call vote of 4 -3, with Ald. DeLucia, Ald. Browning and Ald. Burnham voting in opposition.

WHEREAS, the Charter of the City of Norwich provides at Chapter V Sec. 2(a) Mayor:
“The Mayor shall be the Chief Presiding Officer at and shall have the right to vote at each meeting of the City Council and shall set the order of the agenda for the City Council.” and

WHEREAS, the Rules of Procedure for the Council of the City of Norwich at Rule XX require the items to be taken up at each meeting of the City Council held on the first Monday of each month “in an order set by the Mayor” within various categories of items listed in the Rule XX; and

WHEREAS, since the establishment of the Office of Mayor by charter amendment in 2001, Mayors have generally followed the practice of setting agendas on the afternoon of the Monday preceding a Council meeting, assisted by the City Clerk, the City Manager, the Corporation Counsel and, when necessary, other members of the city administration, with no more than two members of the sitting City Council attending if they wish, but with communication limited as required pursuant to the Freedom of Information Act; and

WHEREAS, this resolution proposes to amend Rule XX of the Rules of Procedure of the Council of the City of Norwich as to the process of setting the order of business and the time that shall take place.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that Rule XX of the Rules of Procedure of the Council of the City of Norwich be amended by the addition of the following as a fourth paragraph in said Rule:

The Mayor shall set the order by which the items listed in this Rule shall be taken up with such assistance as the Mayor may request for this purpose at 3:00 p.m. on the Monday of the week preceding each regular meeting of the Council of the City of Norwich, except when the Monday for setting the order, or the Monday of the regular meeting, is a city observed legal holiday in which event the Mayor may select another time. This process shall take place at city hall at such location as the Mayor shall select. No more than two members of the Council of the City of Norwich may assist in setting the order with no more than one member of any

party, other than the Mayor, being present. Any member of the Council intending to be present must notify the Council Secretary at least two business days in advance of the setting of the order of business. If the Council Secretary has not received such notification from at least two members of the Council the Council Secretary shall give notice of the same to all members of the Council no later than 4:30 p.m. on the Friday preceding the Monday of which the order of business is to be set. These notifications may be given by electronic means.

Upon a motion of Ald. Gould seconded by President Pro Tem Nash, to put the following resolution introduced by Mayor Nystrom on the floor.

Upon a motion of Ald. Gould seconded by President Pro Tem Nash, to amend the following resolution to incorporate “the examination of the ethics rules”.

Upon a motion of Ald. DeLucia seconded by Ald. Burnham it was unanimously voted to take a brief fifteen minute recess at 8:30 PM.

Upon a motion of Ald. Gould seconded by President Pro Tem Nash, it was unanimously voted to reconvene at 8:39 PM

The amendment above failed on a 4 to 3 vote with Ald. Burnham, Ald. Browning and Ald. DeLucia voting in opposition (a two thirds majority vote was not received).

Upon a motion of President Pro Tem Nash seconded by Ald. Gould, to further amend the following resolution to “incorporate the TCD in establishing a Board of Fire Commissioners” and “to have less than one (1) percent or .95 percent of the budget go into the Capital Improvement Fund”.

The amendment above failed on a 4 to 3 vote with Ald. Burnham, Ald. Browning and Ald. DeLucia voting in opposition (a two thirds majority vote was not received).

WHEREAS, Chapter 99 of the Connecticut General Statutes allows a municipality to establish a Charter Revision Commission by a resolution adopted by a two thirds vote of the entire membership of the appointing authority, in Norwich, the City Council.

NOW THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF NORWICH, that a Charter Revision Commission be, and the same hereby is, established to consist of seven (7) electors of the City of Norwich, to be appointed by the Council of the City of Norwich with the appointments to be made within 30 days of the adoption of this resolution, said Charter Revision Commission appointed for the purpose of revising and proposing amendments to the existing charter of the City of Norwich, to include examination of the charter for the purpose of considering amendments to provisions dealing with the following:

- Consider four(4) year staggered terms for members of the Council
- Consider establishing a Board of Fire Commissioners for the paid fire department in the city consolidation district
- Consider expanding the membership of the Personnel and Pension Board to seven (7) resident electors, one of whom shall be the City Treasurer, who shall be a voting member, as well as reducing the number of alternates to two (2) alternate members

- Consider transferring the duties and functions of the Council relating to zoning to a Planning and Zoning Commission or to a Zoning Commission.

AND BE IT FURTHER RESOLVED, BY THE COUNCIL OF THE CITY OF NORWICH, that any amendment proposed by said Charter Revision Commission be presented in such a manner that the electors of the City of Norwich, in referendum, may vote on each amendment separately except where compatible groupings are possible; and

AND BE IT FURTHER RESOLVED, BY THE COUNCIL OF THE CITY OF NORWICH, that said Charter Revision Commission, shall make its report, including the proposed draft of any amendments to the Charter no later than August 5, 2019.

The above resolution failed on a 4 to 3 vote with Ald. Burnham, Ald. Browning and Ald. DeLucia voting in opposition (a two thirds majority vote was not received).

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

WHEREAS, Global City Norwich, and Peruvians United of Connecticut (Peruanos Unidos de Connecticut) propose to host a Peruvian Fest to be held on Sunday, July 29, 2018 from 2:00 p.m. to 6:00 p.m. on Franklin Street between Bath and Willow with the permission of the City of Norwich; and

WHEREAS, a number of events have been scheduled to be held on Franklin Street as part of the Peruvian Fest including activities designed for children and special features, with information tents, and food and retail vendors; and

WHEREAS, the Chief of Police as traffic authority has recommended the closure of Franklin Street to vehicular traffic between the intersections of Franklin Street with Bath and Willow Streets, closure to commence at 12:00 noon and run to 7:00 p.m. on July 29, 2018; and

WHEREAS, the Council of the City of Norwich by this resolution intends to grant permission for this use of Franklin Street, to express its support of the Peruvian Fest and its sponsors, and to welcome it and the many visitors it will attract to downtown Norwich

NOW THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF NORWICH, that it is in support of the Peruvian Fest to be held Sunday, July 29, 2018 from 2:00 p.m. to 6:00 p.m. authorizing it to be held then on Franklin Street with vehicular traffic restricted in accordance with the recommendation of the Chief of Police as Traffic Authority.

Upon a motion of Ald. Gould, seconded by President Pro Tem Nash, it was voted to put the following resolution introduced by Mayor Nystrom on the floor.

WHEREAS, the Norwich Harbor Management Commission and the Greater Norwich Area Chamber of Commerce are co-producing “Rock the Docks Summer Concert Series 2018”, including Rockin’ the Greens, a Friday night series of acoustic concerts to be held at the Norwichtown Green from 6:00 P.M. to 8:00 P.M. on the following dates:

Friday, July 20, 2018
 Friday, July 27, 2018

Friday, August 10, 2018
 Friday, August 17, 2018
 Friday, August 24, 2018 (Rain Date if needed); and

WHEREAS, this concert series will allow the entire community to enjoy music and entertainment at a scenic location; and

WHEREAS, the Greater Norwich Area Business and Industry Foundation, Inc., established through the Greater Norwich Area Chamber of Commerce, proposes to make available beer and wine for sale during this concert series to patrons at a location on the Norwichtown Green, the proceeds of which sales shall be used to support the concert series with the sales to be handled by an appropriately licensed and permitted entity.

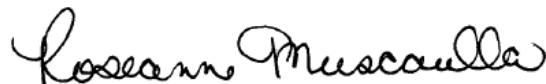
NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that, pursuant to Section 13.14.2 of the Norwich Code of Ordinances, City Manager John Salomone be and hereby is authorized to grant the Greater Norwich Area Business and Industry Foundation, Inc. permission to sell beer or wine the “Rock the Docks Summer Concert Series 2018” celebration to be held on Fridays as listed above or as rescheduled at the Norwichtown Green, subject to satisfactory proof that the Greater Norwich Area Business and Industry Foundation, Inc. has complied with the applicable regulations of the State Liquor Commission; that identification will be mandatory from each person purchasing an alcoholic beverage; that the sales of beer and wine will be made under a proper liquor license, and that proper insurances will be obtained and maintained by the Greater Norwich Area Business and Industry Foundation, Inc. and any vendor of beer and/or wine for the event.

The above resolution passes on a 5 to 2 vote with Mayor Nystrom and Ald. Philbrick voting in opposition.

Upon a motion by Ald. Gould, second by President Pro Tem Nash, it was unanimously voted to go into Executive Session pursuant to Connecticut General Statute Section 1-200(6), for the purpose of discussing the acquisition or disposition of real estate or interests in real estate when publicity regarding the proposed acquisition or disposition would cause a likelihood of an increased price to acquire, or a diminished price to dispose of the property and to review information given the city in confidence not required to be disclosed by law. City Manager Salomone, Corporation Counsel Michael Driscoll, and Planning Director Deanna Rhodes shall be asked to participate during all or portions of this Executive Session at the request of the City Council.

The council was in Executive Session from 8:55 pm to 9:27 pm, at which time Mayor Nystrom, stated no votes were taken. It was unanimously voted 7-0 to return to regular session.

Upon a motion of Ald. Gould, seconded by President Pro Tem Nash it was unanimously voted to adjourn at 9:28 P.M.



Roseanne Muscarella
 Assistant City Clerk