

The regular meeting of the Council of the City of Norwich was held August 6, 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.

President Pro Tem Nash read the opening prayer and Ald. Gould 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 adopt the minutes of July 2, 16 and 24, 2018.

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

Mayor Nystrom turned the floor over to Ald. Gould to recognize and congratulate East Great Plain and Occum Volunteer Fire Departments on their 75<sup>th</sup> anniversary.

City Manager Report:

**To:** Mayor Nystrom and members of the City Council  
**From:** John Salomone, City Manager  
**Subject:** City Manager’s Report  
**Date:** August 6, 2018

I attended the monthly Harbor Management Meeting, School Facility and Southeastern Council of Governments (SECOG) meetings. I had my monthly meetings with Department Heads, Fire Chiefs and Bob Mills of NCD. Mr. Mills will be submitting a quarterly report along with staff reports starting with the quarter ending September 30<sup>th</sup>. Union negotiations were also held for Public Works.

I have had discussions with Brigid Marks, Human Resources Director, regarding updating the job description for the Fire Chief. I have decided to post the job both internally and externally and will be talking to the four Battalion Chiefs regarding the upcoming transition. The position will be posted in the next two weeks and each Battalion Chief will be acting Chief for approximately a two week period. The position announcement will close in mid to late September followed by preliminary screening and final interviews in early to mid-October. Depending on whether we select an internal or external candidate, the new Chief will begin around the beginning of November.

The development agreement for 347 Central Ave has been fully executed. The City purchased the lot at 226-230 Yantic Street which will be used for the Uncas Leap project and title to the Reid & Hughes building has been transferred from the City to the Women’s Institute.

The Ellis Ruley Memorial Park located at 28 Hammond Ave. was dedicated on July 27<sup>th</sup>. Mr. Ruley was an African-American folk artist who lived at the property before his untimely death. Congratulations to the committee, and thank you to those that contributed funds, items and services or donated their time in completing this project. Their perseverance has paid off.

The City's first Peruvian Street Festival was held on July 29<sup>th</sup> on Franklin Street. This event was part of the grant funded *Global City Norwich Program* which is funded with \$100,000 from Chelsea Groton Bank and \$25,000 from the City. Hundreds of visitors filled the street along with numerous vendors and entertainment.

The Norwich Winterfest Committee has turned over the parade to the Norwich Events Organization, Inc. The Winterfest Parade has been in existence for over 30 years and it is a wonderful community tradition. It will be held on Saturday, December 1st this year.

The City's Lock Box tax payments for the month of July were 4,030 payments totaling \$8,145,512.72. Payments at Norwich People's Bank branches during July were 905 payments totaling \$1,012,824.49. This produced shorter lines at the Tax Office and allowed the City to invest 9 million dollars more quickly.

Congratulations to the Occum and East Great Plains Fire Departments on their 75<sup>th</sup> Anniversary celebrations and to Rita Frechette who celebrated her 100<sup>th</sup> birthday on July 30<sup>th</sup>. Rita was the director of City's Emergency Management for many years.

Mayor Nystrom called for citizen comment on resolutions.

Laura Harrington, Unify Business Solutions, spoke in support of the October 20<sup>th</sup> event detailed in resolution six.

Jill Fritzsche, NCDC, spoke also in support of Unify Business Solutions and Laura Harrington and the positive impact of the upcoming event.

David Crabb, 47 Prospect St., commented on Resolutions numbers three, four and six.

Gregory Grippo, 209 Boswell Ave., commented on the past downfalls and of future proposals wondering if they will be enough for the City.

Mayor Nystrom declared citizen comment on resolutions closed.

Upon a motion of Ald. DeLucia, seconded by Ald. Burnham it was unanimously voted to refer the following resolution to Parking Commission and postpone the passage until the next meeting to be held on August 20, 2018 introduced by Mayor Nystrom, President Pro Tem Nash and Burnham.

**WHEREAS**, These Guys Brewing Company LLC has requested permission to conduct an event on October 7, 2018 which will involve the serving and consumption of alcoholic beverages on city property at a parking lot located on 82-84 Franklin Street immediately outside These Guys Brew Pub; and

**WHEREAS**, the event will commence at 10:00 a.m. and last until 11:00 p.m. on October 7, 2018

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH** that, as required pursuant to section 13.14.2 of the Norwich Code of Ordinances, City Manager John Salomone be and hereby authorized and directed to grant Raymond J. Albert, Jr., Permittee and the These Guys Brewing Company LLC permission to use a portion of the abutting municipal parking lot at 82-84 Franklin Street for this purpose, subject their maintaining appropriate insurance coverage, adequate supervision, and their agreement to restore the premises to pre-event condition should a tent or other temporary structure be erected.

Upon a motion of President Pro Tem Nash, seconded by Ald. Gould, it was unanimously voted to waive the full reading of the text except the title and incorporate it into the minutes, to set a Public Hearing on August 20, 2018 at 7:30 pm, for the second reading and action for the following resolution introduced City Manager Salomone.

**WHEREAS**, the property owners listed below want to participate in a cost sharing program with the City of Norwich to construct concrete sidewalks along their property; and

**WHEREAS**, the City of Norwich wants to improve sidewalks throughout the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH** that: granite curbing and concrete sidewalks will be constructed at the following locations where the property owners will pay for an assessment for the cost of the sidewalks and the City of Norwich will pay for the cost of the curbing and miscellaneous items.

<b>Name</b>	<b>Address</b>	<b>Owners Cost</b>
K. Stephen & Doyne Pierce Taylor	34 Rockwell St.	\$ 10,063.00
Kilkelly Properties LLC	85 Sachem St	\$ 8,214.00
Jenniferanne Michels	11 Julian Tce	\$ 2,475.00
Karol Stephany Onton Espinoza & Santo G Pascual Pena	213 Laurel Hill	\$ 2,024.00
Gary R. & Amy L. Stephensen	53 Division St.	\$ 2,570.00
Eastern CT Housing Opportunities Inc.	130 Washington St.	\$ 9,347.00
Charles H. Stott	338 Boswell Ave.	\$ 4,227.00
Dennis P. Beauregard & Edward D. Thomas Jr.	139-141 Rockwell St.	\$ 2,828.00
Francisco Castillo	53 Maple St.	\$ 3,816.00
Wallace S. Anderson	22 Clairmont Ave.	\$ 2,667.00

**BE IT FURTHER RESOLVED** that the cost of this project be funded from the existing capital budget line item for sidewalks, Construction Account #81000 and the Special Assessment Fund, Fund #40000, and that a public hearing be set at the second meeting of the City Council in August 2018.

The estimated city’s cost for curbing and miscellaneous construction items are estimated to be \$50,806.00.

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

**WHEREAS**, the Charter of the City of Norwich provides that the Board of Public Utilities Commissioners may foreclose water liens placed by it on property in the same manner as a lien for taxes may be foreclosed; and

**WHEREAS**, the Board of Public Utilities Commissioners by ordinance acts as the Sewer Authority/Water Pollution Control Authority for the City of Norwich and the Connecticut General Statutes provide for the placing of a lien for the use of the sewage system when a charge for such use is not paid within thirty (30) days of the due date and further provides that such lien may be foreclosed in the same manner as a lien for property taxes; and

**WHEREAS**, the Charter provides that all property and assets of the Department of Public Utilities shall be vested in the City of Norwich; and

**WHEREAS**, the City of Norwich Department of Public Utilities has foreclosed water and sewer liens placed on property at 212 Prospect Street; obtained a Judgment of Foreclosure by Sale, was the high bidder at the sale, and has received a Foreclosure by Sale Committee Deed and Real Estate Conveyance Tax Return from the Committee of Sale, title vesting in the City of Norwich, Department of Public Utilities; and

**WHEREAS**, Norwich Public Utilities has delivered the original Committee Deed to the City of Norwich for recording, a copy of the legal description of such property being attached hereto as Schedule "A"

**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 deliver the Foreclosure by Sale Committee Deed and the Real Estate Conveyance Tax Return to the city clerk for recording, and to enter into, sign, receive, and deliver such other documents as may be necessary to complete the conveyance of said property to the City of Norwich.

Schedule "A"

(Parcel 86-2-21)212 Prospect Street, Norwich, CT

That certain tract or parcel of land, with the buildings thereon, situated in the Town of Norwich, County of New London and State of Connecticut, and being more particularly bounded and described as follows:

Beginning on the westerly line of Prospect Street 70 feet easterly from the northeasterly corner of land late of James Enright, and running thence westerly by land late of Benjamin Durfee and of said Enright 100 feet; thence northerly, bounding westerly on said Durfee land, 75 feet; thence easterly, bounding northerly on said Durfee land 100 feet to Prospect Street; thence southerly by Prospect Street 75 feet to the point of beginning.

Being the same premises conveyed to this Grantor by deed recorded in volume 1089, page 68, Norwich Land Records.

As part of the consideration the Grantee herein assumes and agrees to pay all taxes now due or becoming due after the date hereof.

Upon a motion of Ald. Gould, seconded by President Pro Tem Nash, the following resolution passed on a 6 to 1 vote with Ald. Philbrick voting in opposition introduced by City Manager Salomone.

Relative to the transfer of funds among various departments to close out Fiscal Year 2017-18.

**WHEREAS**, the Police Department expended approximately \$15,000 in excess of its 2017-18 appropriation resulting primarily from replacement overtime costs; and,

**WHEREAS**, the Laurel Hill Volunteer Fire Department expended approximately \$3,000 in excess of its 2017-18 appropriation resulting primarily from higher than anticipated materials & supplies and utilities costs; and,

**WHEREAS**, the Taftville Volunteer Fire Department expended approximately \$3,000 in excess of its 2017-18 appropriation resulting from higher than anticipated fuel and communications costs; and,

**WHEREAS**, Norwich Public Schools expended approximately \$1,100,000 in excess of its 2017-18 appropriation resulting from higher than anticipated special education tuition and transportation costs; and,

**WHEREAS**, several departments underspent their 2017-18 budgets in an amount totaling approximately \$538,000.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that \$538,000 be and hereby is transferred *from* the 2017-18 budgets of the departments listed below *to* the 2017-18 budgets of the Police, Laurel Hill Volunteer Fire, Taftville Volunteer Fire and Norwich Public Schools departments as follows:

**Budget Decreases**

<u>Department</u>	<u>Amount of Transfer</u>
Treasurer	\$12,000
City Manager	13,000
Finance	35,000
Assessment	9,000
Human Resources	25,000
Law	100,000
City Clerk	7,000
City Council	33,000
Norwich Fire	10,000
East Great Plain VFD	12,000
Recreation	22,000
Human Services	18,000
Senior Center	7,000
Youth & Family Services	5,000
Public Works	115,000
Elections	30,000
Planning & Neighborhood Services	29,000
Emergency Management	4,000
Insurance	16,000
Contingency	36,000
<b>Subtotal - Budget Decreases</b>	<b>\$538,000.00</b>

**Budget Increases**

<u>Department</u>	<u>Amount of Transfer</u>
Police	\$15,000
Laurel Hill VFD	3,000
Taftville Volunteer Fire	3,000
Norwich Public Schools	517,000
<b>Subtotal - Budget Increases</b>	<u><u>\$538,000.00</u></u>
 <b>Net Budget Change</b>	 <u><u>-</u></u>

**BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that the remaining 2017-18 budget deficit of \$583,000 for Norwich Public Schools shall be addressed in a separate ordinance for an additional appropriation from General Fund unrestricted fund balance.

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, President Pro Tem Nash and Ald. Gould.

**WHEREAS**, Tyler Lane was established in connection with Subdivision Plan No. 225 approved by the Commission on the City Plan on July 16, 1986 and subsequently revised as the Lyman Farm Subdivision, which revision was approved by the Commission on the City Plan on March 1, 1989; and

**WHEREAS**, said revision includes a plan and profile for the construction of Tyler Lane; and

**WHEREAS**, Tyler Lane, as constructed, is approximately 950 feet long and the city has been maintaining it since its completion; and

**WHEREAS**, the Department of Public Works and the Public Works Committee of the Council have recommended it formally be accepted as a city street which will allow it to be added to the Town Aid Road List.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH** that Tyler Lane be accepted by the City of Norwich as a city street and that it be added to the Town Aid Road List; and

**BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH** that City Manager John Salomone, with such assistance as he may deem necessary and appropriate, seek to obtain and record a deed, or deeds and any other necessary documents from any individuals or entities holding any ownership interest in the property upon which Tyler Lane was constructed and to cause such deed, or deeds, or other documents to be filed with the office of city clerk for recording.

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

Upon a motion to amend by Ald. Gould, seconded by President Pro Tem Nash, it was unanimously voted to amend the following resolution to add “OktoberFest at” to the existing words “The Lofts of Ponemah Mills” changed the date of the event to “October 20, 2018” and correct the name “Unified” to “Unify”.

**WHEREAS**, Unify Business Solutions LLC and The Lofts at Ponemah Mills propose to sponsor an event to be known as OktoberFest at The Lofts of Ponemah Mills and to be held on the grounds of The Ponemah Mills in Taftville on October 20, 2018; and

**WHEREAS**, tickets will be sold to the public and to tenants and their guests to permit admittance to the OktoberFest with food and beverages, including alcoholic beverages, provided or sold and various entertainments presented; and

**WHEREAS**, the event will likely involve an assembly of 100 or more persons, and may involve the issuance of permits and inspections by and the presence of various municipal officials or employees; and

**WHEREAS**, the Council of the City of Norwich through the mayor’s office has been asked to assist Unify Business Solutions LLC and OktoberFest at The Lofts of Ponemah Mills in identifying any permits; inspections; and municipal presence required for the proposed OktoberFest

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH** that City Manager John Salomone, with such assistance as he may require, be and hereby is requested to assist Unify Business Solutions LLC and OktoberFest at The Lofts of Ponemah Mills in identifying what municipal inspections, permits and municipal presence may be required to hold the proposed OktoberFest.

The above Resolution unanimously passed on a vote of 7 to 0.

Upon a motion of Ald. DeLucia, seconded by President Pro Tem Nash, it was unanimously voted to schedule a Public Hearing, second reading and action on August 20, 2018 at 7:30 pm for the following ordinance introduced by Mayor Nystrom, President Pro Tem Nash and Ald. Gould said ordinance being giving its first reading.

AN ORDINANCE APPROPRIATING \$2,700,000 FOR THE REPLACEMENT OF THE PUBLIC SAFETY RADIO SYSTEM AND AUTHORIZING THE ISSUE OF \$2,700,000 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 \$2,700,000 is appropriated for the City of Norwich’s (the “City”) share of costs relating to the purchase and installation of a replacement radio system for the City’s public safety departments and all warranties and licensing fees related thereto and such additional related improvements and equipment as may be accomplished within said appropriation, including, but not limited to, console and infrastructure equipment, infrastructure site preparation, and relocation and integration services (collectively, “Equipment”), and for all administrative, consulting, advertising, printing, legal and financing costs to the extent paid therefrom. Said appropriation shall be inclusive of all state and federal grants in aide hereof and shall be in addition to all prior and future appropriations for said purpose.

**Section 2.** The total estimated cost of the Equipment is \$2,700,000. Other than the sale value, trade-in value, or scrap value of all items being replaced pursuant to this appropriation and bond ordinance, no portion of the Equipment cost is expected to be paid from sources other than the proposed bond and note

financings. The estimated useful life of the Equipment is twenty (20) years. The Equipment is a general benefit to the City and its general governmental purposes.

**Section 3.** To meet said appropriation \$2,700,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the twentieth (20<sup>th</sup>) year after their date, or such later date as may be allowed by law. Said bonds may be issued in one or more series as shall be determined by the City Manager and the Comptroller, and the amount of bonds of each series to be issued shall be fixed by the City Manager and the Comptroller, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the City Manager and the Comptroller, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the City Manager and the Comptroller, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the City Manager and the Comptroller, and be approved as to their legality by Pullman & Comley, LLC, Bond Counsel. They shall bear such rate or rates of interest as shall be determined by the City Manager and the Comptroller. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and shall be paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds, annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the City Manager and the Comptroller in accordance with the requirements of the General Statutes of Connecticut, as amended (the "Statutes"). In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b of the Statutes, including the authority to enter into agreements managing interest rate risk. The City Manager and Comptroller, on behalf of the City, shall execute and deliver such reimbursement agreements, letter of credit agreement, credit facilities, remarketing, standby marketing agreements, standby bond purchase agreements, and any other commercially necessary or appropriate agreements which are necessary, appropriate or desirable in connection with or incidental to the sale and issuance of such bonds or notes.

**Section 4.** The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law.

**Section 5.** Said bonds shall be sold by the City Manager and Comptroller in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals, auction or similar process, at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City.

**Section 6.** The City Manager and the Comptroller are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the City Manager and the Comptroller, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by the City Manager and the Comptroller, be certified by a bank or trust company designated by the City Manager and



the Comptroller pursuant to Section 7-373 of the Statutes, and be approved as to their legality by Pullman & Comley, LLC, Bond Counsel. They shall be issued with maturity dates which comply with the provisions of the Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and shall be paid from property taxation to the extent not paid from other funds available for the payment thereof. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Equipment. 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 Equipment to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose.

**Section 10.** It is hereby found and determined that the issue of all, or a portion of, the bonds, notes or other obligations of the City authorized to be issued herein as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation, is in the public interest. The City Manager and the Comptroller are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal governments pursuant to law.

**Section 11.** The City Manager and Comptroller are hereby authorized to prepare and distribute preliminary and final Official Statements of the City, to execute and deliver on behalf of the City all such other documents, and to take all action, necessary and proper for the sale, issuance and delivery of any

bonds or notes relating to the Equipment in accordance with the provisions of the Statutes and the laws of the United States.

**Section 12.** This ordinance shall not take effect unless and until adopted by the City Council and approved at referendum.

Upon a motion of Ald. Gould, seconded President Pro Tem Nash by, it was unanimously voted to schedule a Public Hearing, second reading and action on August 20, 2018 at 7:30 pm for the following ordinance introduced by Mayor Nystrom said ordinance being giving its first reading.

AN ORDINANCE APPROPRIATING \$8,470,000 FOR THE CITY OF NORWICH ECONOMIC REVITALIZATION INITIATIVE TO SPUR ECONOMIC DEVELOPMENT AND AUTHORIZING THE ISSUE OF \$8,470,000 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 \$8,470,000 is appropriated to finance grants to improve and stimulate economic development and employment within (i) the City’s downtown revitalization area which shall consist of the Chelsea Central (CC) Zoning District and land that is commonly referred to as Hollyhock Island as shown on the City of Norwich Zoning Map, dated November 2, 2015, as amended, (ii) the City’s gateway areas which shall include property located within 1/2 mile of the City border and located on, or within one parcel from, an approved State of Connecticut highway within the City (Routes 2, 12, 32, 82, 97, 165, 169 and the I-395 exit ramps) (iii) the City’s Village Overlay Districts, including the Norwichtown Village Overlay District as shown on the City of Norwich Zoning Map, dated November 2, 2015, as amended, and any other Village Overlay Districts established within the City from time to time, (iv) the City’s Opportunity Zone census tracts (currently census tracts 6967, 6968 and 6970 as shown on the City’s Opportunity Zone Map), (v) the State Enterprise Zone in the City, (vi) all City areas zoned Production, Manufacturing and Research (PMR) District as shown on the City of Norwich Zoning Map, dated November 2, 2015, as amended, and (vii) any Mill Reuse Overlay District, as such district may be established by the City from time to time (collectively, the “Norwich Revitalization Areas”). Such appropriation shall be used on parcels within a Norwich Revitalization Area with existing commercial or mixed-use buildings undergoing rehabilitation that will contribute to the revitalization of the surrounding neighborhood. The grants shall finance the following economic revitalization programs in the following dollar amounts:

Code Correction Assistance	\$4,150,000
Commercial Rental Subsidy	\$2,960,000
City Guided Development	\$890,000
Façade Improvement Grants	\$350,000
Community Branding and Signage	\$120,000

The grants and stimulus effort shall hereafter be referred to as the “Program”. The City Council may reallocate amounts among the above purposes, provided that no less than fifty percent (50%) of the

original allocation above shall remain available for the original purpose. The appropriation shall include consultants and services related to or appropriate to accomplish the foregoing, including engineering, architectural, administrative, marketing/advertising, printing, legal and financing costs related thereto. The Program shall be implemented pursuant to the Connecticut General Statutes, including Chapter 118, 130, 132, 5881, or other statutory provisions providing for municipal assistance to advance economic development, the remediation of blight, the retention and development of commercial and business activity, providing employment opportunities, the improvement of living conditions, to promote each of the activities and purposes set forth in any plan adopted by the City Council in connection with the Norwich Revitalization Areas, as amended from time to time in accordance with such provision of law.

The City Council shall approve the scope and undertaking to be implemented with the appropriation herein authorized and may delegate Program parameters, administration or implementation to the Norwich Community Development Corporation or other City agency or department, subject to its oversight. Said appropriation shall be in addition to state and federal grants in aid thereof.

**Section 2.** The total estimated cost of the Program is \$8,470,000. No portion of the Program cost is expected to be paid from other sources other than the proposed bond issue. The estimated useful life of the Program is twenty (20) years. The Program is a general benefit to the City and its general governmental purposes.

**Section 3.** To meet said appropriation \$8,470,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the twentieth (20<sup>th</sup>) year after their date, or such later date as may be allowed by law. Said bonds may be issued in one or more series as shall be determined by the City Manager and the Comptroller, and the amount of bonds of each series to be issued shall be fixed by the City Manager and the Comptroller, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the City Manager and the Comptroller, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the City Manager and the Comptroller, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the City Manager and the Comptroller, and be approved as to their legality by Pullman & Comley, LLC, Bond Counsel. They shall bear such rate or rates of interest as shall be determined by the City Manager and the Comptroller. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and shall be paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds, annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the City Manager and the Comptroller in accordance with the requirements of the General Statutes of Connecticut, as amended (the "Statutes"). In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b of the Statutes, including the authority to enter into agreements managing interest rate risk. The City

Manager and Comptroller, on behalf of the City, shall execute and deliver such reimbursement agreements, letter of credit agreement, credit facilities, remarketing, standby marketing agreements, standby bond purchase agreements, and any other commercially necessary or appropriate agreements which are necessary, appropriate or desirable in connection with or incidental to the sale and issuance of such bonds or notes.

**Section 4.** The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this Ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law.

**Section 5.** Said bonds shall be sold by the City Manager and Comptroller in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals, auction or similar process, at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City.

**Section 6.** The City Manager and the Comptroller are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the City Manager and the Comptroller, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by the City Manager and the Comptroller, be certified by a bank or trust company designated by the City Manager and the Comptroller pursuant to Section 7-373 of the Statutes, and be approved as to their legality by Pullman & Comley, LLC, Bond Counsel. They shall be issued with maturity dates which comply with the provisions of the Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and shall be paid from property taxation to the extent not paid from other funds available for the payment thereof. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Program. 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 Program to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose.

**Section 10.** It is hereby found and determined that the issue of all, or a portion of, the bonds, notes or other obligations of the City authorized to be issued herein as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation, is in the public interest. The City Manager and the Comptroller are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal governments pursuant to law.

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

**Section 12.** The City Council, or its authorized designees, is authorized to exercise any authority granted to the City pursuant to Chapter 118, 130, 132, 588I or other provisions of the Statutes providing for municipal assistance to advance economic development, the remediation of blight, the retention and development of commercial and business activity, providing employment opportunities, or the improvement of living conditions in distressed areas.

**Section 13.** This Ordinance shall not take effect unless and until adopted by the City Council and approved at referendum.

Upon a motion of Ald. DeLucia seconded by President Pro Tem Nash, it was unanimously voted to schedule a Public Hearing, second reading and action on August 20, 2018 at 7:30 pm for the following ordinance introduced by City Manager Salomone said ordinance being giving its first reading.

**AN ORDINANCE REGARDING ADDITIONAL FISCAL YEAR 2017-18 APPROPRIATIONS FOR THE GENERAL FUND, TOWN CONSOLIDATION DISTRICT, AND CITY CONSOLIDATION DISTRICT**

**WHEREAS**, Norwich Public Schools expended approximately \$1,100,000 in excess of its fiscal year 2017-18 General Fund appropriation as a result of higher than anticipated special education tuition and transportation costs; and

**WHEREAS**, \$517,000 of the \$1,100,000 overage was offset by transfers of unexpended appropriations from other General Fund departments– leaving a net spending deficit of \$583,000; and

**WHEREAS**, the City Consolidation District’s (“CCD”) overtime and replacement costs for fiscal year 2017-18 are \$144,000 higher than anticipated compared to the adopted 2017-18 budget for the CCD; and

**WHEREAS**, the Town Consolidation District (“TCD”) cost of property tax credits for volunteer firefighters for fiscal year 2017-18 are \$3,000 higher than anticipated compared to the adopted 2017-18 budget for the TCD; and

**WHEREAS**, the General Fund and CCD have adequate levels of unrestricted fund balance (“UFB”) to absorb the impact of the budget variances described above; and

**WHEREAS**, the TCD will have a fund deficit of approximately \$29,000 resulting primarily from the shortfall in State of Connecticut reimbursement for the cap on motor vehicle taxes.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH THAT** the fiscal year 2017-18 appropriations for the General Fund, CCD, and TCD be, and hereby are, increased by the sums of \$583,000, \$144,000, and \$3,000, respectively, for the reasons set forth above.

**BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH THAT** if, during the fiscal year 2019-20 budget development process, the Town Consolidation District fund is projected to be in a deficit position at the end of fiscal year 2018-19, then an additional amount will be included in the 2019-20 tax levy for the Town Consolidation District to restore such deficit.

Upon motion of Ald. Gould, seconded by Ald. Burnham, it was unanimously voted to adjourn at 8:30 P.M.



Assistant City Clerk