

A regular meeting of the Council of the City of Norwich was held January 22, 2008 at 7:10 PM in Council Chambers. Present: Aldermen Bettencourt, Coutu, Desaulniers, Jacaruso and Zarnetske and Mayor Lathrop. Absent: Alderman Nash. City Manager Bergren and Corporation Counsel Driscoll were also in attendance.

Mayor Lathrop called for citizen comment.

Keith Ripley, Meadow Lane, suggested agenda settings be posted as public meetings on the City Clerk's bulletin board. Mr. Ripley was concerned about a newspaper article concerning a project on Chestnut Street in which the developer was requesting the City to demolish a building. Mr. Ripley said it sounded like a revision to the contract that the City has already entered into.

Jerry Martin, 19 Gillette Road, commented on the possible hiring of a lobbyist. He asked the Council to look at the past performance to see what we are going to get for the money.

There being no further comments, Mayor Lathrop declared citizen comment period closed.

City Manager Bergren gave his report as follows:

To: Mayor and City Council
CC: City Clerk
From: Alan H. Bergren, City Manager
Date: January 22, 2008
Re: City Manager's Report – City Council Meeting January 22, 2008

Mayor and City Council, please be advised:

1. Comptroller Joseph Ruffo, Deputy Comptroller Josh Pothier and I continued to meet with departments and agencies regarding their budget requests. This process will continue until the end of January.
2. I am wrapping up tours of various departments and agencies and municipal facilities. I hope to have visited all town agencies by February 1st.
3. I joined the Mayor and other city and town leaders from the region in Waterford for the unveiling of the traveling exhibit "Faces of Connecticut Fallen" which is a tribute to Connecticut military personnel who lost their lives in Iraq and Afghanistan. It was a very moving ceremony. I have included a copy of the program in your council packs.
4. On January 9th I joined Aldermen Bettencourt, Jacaruso and Nash at the Public Safety Committee meeting at the Central fire station.
5. On January 10th I held my first staff meeting with department heads.
6. On January 15th I attend and participated in CCM's Legislative Committee. A copy of the program and agenda are included in your Friday packets. On the same day I joined the Mayor, Council Members and Mohegan Sun Tribal Members at a press conference for the Sachem Fund.

7. I attend my first meeting of the Parking Commission on January 15th. Aldermen Bettencourt and Nash were at the meeting as members of the commission and Alderman Desaulniers attended as an observer.
8. On January 16th the Mayor and I attended the regular meeting of the Southeastern Connecticut Council of Governments.

City Manager Report of January 18, 2008

9. On the 16th I met with Baseball Stadium Authority representatives regarding items concerning upgrades and repairs to Dodd Stadium.
10. Also, on January 19th I attended a planning meeting for the Connecticut Town and City Manager Association along with Bonnie Therrien, Manager of Wethersfield, as well as four Rhode Island City Managers. We spent time preparing for the Spring Conference of the CTCMA which will be held in Norwich at the Norwich Inn and Spa.
11. The City received bids for state lobbyists on Thursday. The tally sheets are included in today's council packets. Copies of the proposals are available in the City Manager's Office for review.
12. On Friday I joined Aldermen Bettencourt, Coutu and Nash at the NAACP Annual Luncheon. Alderman Bettencourt presented the Martin Luther King Day Proclamation on behalf of the Mayor and President Pro Tempore.
13. Comptroller Joseph Ruffo, Deputy Comptroller Josh Pothier and I continued to meet with departments and agencies regarding their budget requests. This process will continue until the end of January.
14. I am wrapping up tours of various departments and agencies and municipal facilities. I hope to have visited all town agencies by February 1st.
15. I joined the Mayor and other city and town leaders from the region in Waterford for the unveiling of the traveling exhibit "Faces of Connecticut Fallen" which is a tribute to Connecticut military personnel who lost their lives in Iraq and Afghanistan. It was a very moving ceremony. I have included a copy of the program in your council packs.
16. On January 9th I joined Aldermen Bettencourt, Jacaruso and Nash at the Public Safety Committee meeting at the Central fire station.
17. On January 10th I held my first staff meeting with department heads.
18. On January 15th I attend and participated in CCM's Legislative Committee. A copy of the program and agenda are included in your Friday packets. On the same day I joined the Mayor, Council Members and Mohegan Sun Tribal Members at a press conference for the Sachem Fund.
19. I attend my first meeting of the Parking Commission on January 15th. Aldermen Bettencourt and Nash were at the meeting as members of the commission and Alderman Desaulniers attended as an observer.
20. On January 16th the Mayor and I attended the regular meeting of the Southeastern Connecticut Council of Governments.
21. On the 16th I met with Baseball Stadium Authority representatives regarding items concerning upgrades and repairs to Dodd Stadium.
22. Also, on January 19th I attended a planning meeting for the Connecticut Town and City Manager Association along with Bonnie Therrien, Manager of Wethersfield, as well as four Rhode Island City Managers. We spent time preparing for the Spring Conference of the CTCMA which will be held in Norwich at the Norwich Inn and Spa.

- 23. The City received bids for state lobbyists on Thursday. The tally sheets are included in today's council packets. Copies of the proposals are available in the City Manager's Office for review.
- 24. On Friday I joined Aldermen Bettencourt, Coutu and Nash at the NAACP Annual Luncheon. Alderman Bettencourt presented the Martin Luther King Day Proclamation on behalf of the Mayor and President Pro tempore.

Mike Goldblatt, Chairman of the Ice Rink Authority, and Mia Sanca, Operations Manager, gave an oral presentation of the Ice Rink. Mr. Goldblatt said he has been chairman since the rink was built in 1995. Mia Sanca, Operations Manager, spoke on the various activities and programs held at the rink including Norwich figure skating school, Mrs. Dash Skate for the Heart Show featuring the Celtic Women, High School and Women's Hockey.

Mayor Lathrop then called for a public hearing on AN ORDINANCE APPROPRIATING \$795,000 FOR PUBLIC SAFETY IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$795,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Mayor Lathrop recused himself from discussion and voting on the above proposed ordinance.

Upon motion of Ald. Bettencourt, seconded by Ald. Zarnetske, it was unanimously voted to waive the reading of the following ordinance, introduced by Acting City Manager Ruffo, except for its title:

AN ORDINANCE APPROPRIATING \$795,000 FOR PUBLIC SAFETY IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$795,000 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 \$795,000 is appropriated for public safety improvements, consisting of the following:

Fire Department

- East Great Plains – New Rescue Vehicle
- Yantic – Main Station Miscellaneous Repairs
- Laurel Hill – Air-pack Upgrades
- Occum – Air-pack Upgrades
- Taftville – Roof Cap Repair

The appropriation shall include related appurtenances, improvements and equipment, or for so much thereof as may be accomplished within said appropriation, and for architectural, engineering and consultant fees and related services, administrative, advertising, printing, legal and financing costs and be allocated among the projects in the manual as the Council shall determine or as delegated to the Comptroller. Said appropriation shall be in addition to all other appropriations for said purpose, and inclusive of state and federal grants in aid thereof.

Section 2. The total estimated cost of the project is \$795,000. No portion of the project cost is expected to be paid from sources other than the proposed bond issue. The estimated useful life of the project is twenty (20) years. The project is a general benefit to the City of Norwich and its general governmental purposes.

Section 3. To meet said appropriation \$795,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the twentieth 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 Murtha Cullina LLP, Attorneys-At-Law, of Hartford. 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, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. 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. 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, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the City Council. In order to meet the capital cash flow expenditure needs of the City, the City Manager and Comptroller are authorized to allocate and reallocate expenditures incurred for the Project to any bonds 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, including the bonds and notes and Project herein authorized.

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. The principal and interest on the proposed issue are to be paid from property taxation to the extent not paid from other funds available for the payment thereof and the full faith and credit of the City are pledged to such payment.

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 competitive process, at not less than

par and accrued interest on the basis of the lowest net or true interest cost to the City. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation the purchase contract shall be approved by the City Council. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Manager and Comptroller are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount so applied.

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 General Statutes of Connecticut, as amended, and be approved as to their legality by Murtha Cullina LLP, Attorneys-At-Law, of Hartford. They shall be issued with maturity dates which comply with the provisions of the General 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, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. 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 project. 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 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. 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.

Acting City Manager Ruffo

Speaking in favor:

Keith Ripley, Meadow Lane, said he was in favor of anything concerning public safety.

Chief Patrick Daley, East Great Plains Fire Department, said this ordinance would allow the replacement of a vehicle built in 1985, which is at the end of its service life. Chief Daley also said this item was submitted in two different budgets, but it was never approved.

Chief Martin, Laurel Hill Fire Department, and Chief Frank Blanchard, Yantic Fire Department, said they would be using this rescue vehicle for backup.

Speaking in opposition:

David Crabb, 47 Prospect Street, said this proposed ordinance is not in accordance with the City Charter.

Rodney Bowie, 62 Roosevelt Avenue, said it should have been included in the budget process, and he was against appropriating money in this manner.

There being no further speakers, President Pro Tem Jacaruso declared the public hearing closed.

Ald. Zarnetske said he was disappointed with the quality of the information received concerning this ordinance. He said more detailed information should have been supplied to the Council before the meeting.

Ald. Jacaruso made a motion, seconded by Ald. Zarnetske, to amend the ordinance by excluding the rescue truck.

The motion to amend was then withdrawn by Ald. Jacaruso and Ald. Zarnetske with the understanding that things have to be done differently in the future.

The ordinance was then adopted on a vote of 5 to 0, with Mayor Lathrop abstaining.

Upon motion of Ald. Jacaruso, seconded by Ald. Bettencourt, it was unanimously voted to adopt the following resolution introduced by Mayor Lathrop:

BE IT RESOLVED by the Council of the City of Norwich, that Kevin Crowley be and hereby is appointed to the Mohegan Park Improvement and Development Advisory Committee for a term to expire December 8, 2009, or until a successor is appointed.

Upon motion of Ald. Bettencourt, seconded by Ald. Desaulniers, it was unanimously voted to adopt the following resolution introduced by City Manager Bergren:

WHEREAS, the Council of the City of Norwich formed a Building Committee in February 2007 to work towards the renovation of and addition to Kelly Middle School.

NOW, THEREFORE, BE IT RESOLVED that Larry Goldman be and hereby is appointed as a member of the Kelly Middle School Building Committee.

Upon motion of Ald. Jacaruso, seconded by Ald. Bettencourt, it was unanimously voted to adopt the following resolution introduced by Mayor Lathrop:

WHEREAS, by resolution adopted January 19, 1999, the Council of the City of Norwich established the Norwich Skateboard Park Study Committee; and,

WHEREAS, the committee has completed its work and successfully assisted in the establishment of the Donald Alfiero Skateboard Park.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Norwich that the Norwich Skateboard Park Study Committee be and hereby is discharged with the thanks of the Council.

Upon motion of Ald. Desaulniers, seconded by Ald. Bettencourt, it was unanimously voted to adopt the following resolution introduced by Mayor Lathrop:

BE IT RESOLVED, by the Council of the City of Norwich that Olive Buddington be and hereby is appointed to the Thames Valley for Community Action- Board of trustees for a term to expire December 3, 2009, or until a successor is appointed.

Upon motion of Ald. Desaulniers, seconded by Ald. Jacaruso, it was unanimously voted to refer AN ORDINANCE EXEMPTING EASTER SEALS CONNECTICUT, INC FROM THE PAYMENT OF TAXES ON CERTAN PROPERTY LOCATED AT 24 STOTT AVE to the February 4th meeting for a public hearing.

Mayor Lathrop then called for citizen comment.

Jackie Caron, 5 Treadway Avenue, said it was her understanding that the Public Safety Committee should have made a recommendation concerning the ordinance appropriating \$795,000 for public safety improvements.

Joanne Philbrick, 10 Elm Avenue, said she voted for the majority of the Council for change, and she felt the Council had a perfect opportunity to implement that change. She said the ordinance concerning the fire rescue truck should have been tabled until more information was received.

Keith Ripley, Meadow Lane, said the City is full of garages, and we must be very careful how the harbor will look if more are built. Mr. Ripley also said we should give the elected representatives a chance to do their job, instead of paying for the services of a lobbyist.

David Crabb, 47 Prospect St, said Davis Crabb, 47 Prospect Street, said spending is far out pacing economic development if the tax increases match the cost of living.

Bill Kenny, 17 Lincoln Avenue, said he would like the Council to promise to the public to look at the budget with their eyes wide open.

Joe Winski, 9 Ash Road, said the Council made the right choice concerning the fire rescue truck and he suggested planning and setting up money annually for fire apparatus.

There being no further speakers, Mayor Lathrop declared citizen comment period closed.

Upon motion of Ald. Desaulniers, seconded by Ald. Jacaruso, it was unanimously voted to adjourn at 9:23 PM.

ATTEST:



Dee Anne Brennan
City Clerk