

A regular meeting of the Council of the City of Norwich was held Tuesday, February 19, 2008, at 7:04 PM in Council Chambers. Present: Aldermen Bettencourt, Coutu, Desaulniers, Jacaruso, Nash & Zarnetske. Also in attendance were Corporation Counsel Driscoll and City Manager Bergren. Absent: Mayor Lathrop. President Pro Tem Jacaruso presided.

President Pro Tem Jacaruso read a proclamation honoring the many contributions made by African Americans throughout this city and he proclaimed the month of February 2008 to be Black History Month.

President Pro Tem Jacaruso called for citizen comments.

John Andriote, 166 Yantic St., said he was interested in starting a small business in Norwich, but when he had his first meeting with the staff of the Community Development Office, his original plans were pulled apart and he was told that his business venture was unrealistic and would not work in Norwich.

Dale Plummer, City Historian, said he supported the resolution relative to the Connecticut Freedom Trail.

Bill Champagne, President of the Norwich Historical Society, said the Historical Society would be very happy to work with Mr. Plummer and any other groups that would be furthering the Freedom Trail story.

Sheila Hayes, 8 Pin Oak Terrace, said she supported the Connecticut Freedom Trail resolution. Ms. Hayes also said Norwich has rich history and she felt the schools and community would benefit from the information.

Ernie Cohen, 136 Hunters Road, suggested solar energy as an alternative for Kelly Middle School. Mr. Cohen also discussed a potentially hazardous problem in the area of Tim Horton's business on Salem Turnpike. He said there is a drainage pond behind the coffee shop which is not entirely fenced in and is not draining properly.

Larry Goldman, 35 Sherwood Lane, said he supported the Kelly Middle School resolution, which is for Norwich to apply for the various state and federal assistance for the basic hazardous abatement.

Jerry Martin, Gillette Road, suggested the volunteer fire departments meet with the public and get involved with the local residents.

There being no further comments, President Pro Tem Jacaruso declared citizen comment period closed.

Upon motion of Ald. Coutu, seconded by Ald. Bettencourt, it was unanimously voted to receive Carl Morello's letter of resignation from the Inland Wetlands, Watercourses and Conservation Committee.

Upon motion of Ald. Zarnetske, seconded by Ald. Jacaruso, it was unanimously voted to accept a letter from Lawrence Rice regarding his failure to receive his City pension benefits on time.

City Manager Bergren gave his report as follows:

1. The Parking Commission discussed the proposed parking ordinance in a Special Meeting. The Commission is doing research on the matter by conducting a mini-survey. I will have the results of that study within a month. I have enclosed reports from the following parties regarding the proposed parking ordinance:

- a. Corporation Counsel Michael Driscoll
- b. Police Chief Lou Fusaro
- c. A report from the city of Urbana, Illinois regarding their 72-hour parking ordinance. Urbana is the site of a state university and has a problem with people, students in particular, storing cars on the street. (shared by Alderman Zarnetske)
- d. An internal memo from the City of Urbana's Public Facilities Manager to the Chief Administrative Officer outlining the case for and against the ordinance and recommending the ordinance stay in place. (shared by Alderman Zarnetske)
- e. A list of several US cities that have similar ordinances. (shared by Alderman Zarnetske)
- f. A notice from Joe Loyacano, Director of Public Works, citing that he does not have extensive comment but does not encounter this as a problem from a Public Works perspective.

There are potential problems with vehicles that may not be registered in the city using street parking as their primary garage space. Any vehicle that is using Norwich city streets as their primary garage space may be subject to pay taxes on said vehicle(s) to the city of Norwich. Two CT municipalities have a history of handling this through their assessor's office and I have asked both Corporation Council and the assessors office to look into the matter.

2. I have enclosed reports from the following parties regarding the proposed noise ordinance:

- a. Corporation Counsel Michael Driscoll
- b. Police Chief Lou Fusaro noting the following things:
 1. The police department would need to buy certain equipment to implement the proposed ordinance. The equipment would cost \$13,640
 2. The police department does have authority to respond to noise complaint under C.G.S. 53a-182 *Disorderly Conduct* and C.G.S. 53a-181a *Creating a Public Disturbance*. Under this statute they can issue a \$103 fine for "creating a public disturbance". The police department currently responds to noise complaints under the above-cited statutes.
 3. The proposed ordinance may possibly limit an officer's ability to issue citations because as it stands now, the officer has discretion to determine what is unreasonable noise but if an ordinance is in place, the decibel level would determine when a violation occurs in place of the officers' judgment. Guilford reported that many people are annoyed at noise that actually falls below the decibel level stated in the ordinance. In these cases, no action can be taken.
- c. Paulette Craig, Zoning Enforcement Officer, noting difficulties in enforcing an ordinance
- d. Peter Davis (via e-mail), Director of Planning noting the difficulty in enforcement.

- e. Michael Shaefer, City Planner. Mr. Schaefer has several notes and believes the ordinance would be difficult to enforce.
- g. James Troeger, Building Official, who notes that such an ordinance is difficult to enforce and may not be necessary.
- h. Joe Loyacano, Director of Public Works, whose opinion is that the ordinance is unenforceable and unnecessary.

Controlling and regulating noise is a quality of life issue and it can also be a health issue, depending on the decibel level, frequency etc. of noise. May I suggest we have an informational session where the police department can discuss this further with the Council. The town of Waterford has indicated that their noise ordinance is most useful when a continual commercial operation is admitting a certain decibel level that should be regulated. (i.e. mechanical systems on the roof of a large commercial/industrial operation and there are ways that the noise can be mitigated.) Complaints from loud parties and similar things can be handled under the state law. I hope all this information is useful to the Council in addressing the concerns that have been raised from our constituents.

3. Microenterprise Grant Program

We have confirmed with Tom Hennick, the state ombudsman for FOI and Corporation Counsel Michael Driscoll regarding the grant review committee. Yes, the committee is subject to FOI. The committee is permitted to go into executive session to review the individual applications that contain financial information and other proprietary information. This information is exempt from FOI, according to Tom Hennick. The committee, after discussing the individual's applications in executive session, reconvenes to vote in a public meeting. We will immediately implement this protocol.

I spoke with Larry Wagner from L. Wagner Associates who I have known as a CDBG consultant for 15-20 years who indicated that an ad hoc committee of financial and business experts he uses to review microenterprise loans was appointed by a City Council in 1996. May I suggest the Council consider ratifying our current committee as a panel of experts in the business loan field. We can ratify the committee by a Council vote and then replace members as they step down. The current makeup of the committee is the Chairman of the Redevelopment Agency, a redevelopment expert from SECTER and a banker from Eastern Federal Savings Bank. A consultant can be retained to advise applicants on their business plans and business strategies, which is done in the other microenterprise loan programs administered by L. Wagner & Associates. Mr. Wagner uses a committee of five. If Council feels comfortable with a larger committee, we can search for more members.

Larry Wagner also advises that we may want to consider converting this program to a microenterprise loan program as he administers in other communities.

- 4. On February 15, I attended a meeting of the Alpha Committee of the New England/Northeastern Infrastructure Initiative at ConnDOT offices in Newington. At the ConnDOT office, we met with ConnDot Deputy Secretary Al Martin, who chairs the committee. The New England/Northeastern Infrastructure Initiative is promoting rail service between New London and Worcester, Mass. as part of a larger initiative to develop mass transit in New England, upstate New York and Eastern Canadian provinces. Also in attendance at the meeting were Rhode Island Secretary of Transportation Jerry Williams, Jim Repass of National Corridors, as well as CT state legislators and representatives from commercial interests. Dionne France, a delegate to the United States from Quebec was

scheduled to be in attendance but could not be there due to other business. She will be at future meetings.

Michael LeBlanc, from Blum Shapiro, gave the audit report for the fiscal year June 30, 2007. The audit was completed in the fall of 2007 and all of the required reports were completed and submitted in accordance with required deadlines. Mr. LeBlanc said the City of Norwich was awarded a certificate in recognition of achieving the highest standards in governmental accounting and reporting for 2006 financial statements.

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

WHEREAS, The Norwich Fire Department researched vendors and received a bid to purchase new training equipment to improve EMS training; and

WHEREAS, The Norwich Fire Department submitted a grant request for funding under the Emergency Medical Services Equipment Grant Program to purchase said equipment, specifically a Heart/Lung Simulator, Blood Pressure Simulator and CPR Manikins; and

WHEREAS, The Norwich Fire Department has been awarded a grant in the amount of \$2,630 from the State Department of Public Health to cover 70% of the purchase price of a Heart/Lung Simulator, Blood Pressure Simulator and CPR Manikins; and

WHEREAS, The aforementioned grant from the State Department of Public Health requires that the City of Norwich make a contribution of 30% of the purchase price, which is \$1,127 and further that said contract be approved and signed by the City of Norwich.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Norwich that the Norwich Fire Department be and hereby is authorized to expend to the sum of \$1,127 for the purchase of this equipment together with any other reasonable expenses that may arise to purchase said equipment; and

BE IT FURTHER RESOLVED by the Council of the City of Norwich that said funds be used out of account #01022-80032, the general Fire Department account.

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

WHEREAS, in order to obtain State and Federal assistance for Code Work/Hazardous Materials/Abatement for the Renovate as New and Addition to the Kelly Middle School (Project No. TBD.)

NOW THEREFORE BE IT RESOLVED, that the Building Committee for the Code Work/Hazardous Materials/Abatement of the Renovate as New and Addition project at Kelly Middle School (Project No. TBD) shall be comprised of the existing Renovate as New and Addition to the Kelly- Middle School Project.

BE IT FURTHER RESOLVED, that the City Council of the City of Norwich hereby authorized the preparation of schematic drawings and outline specifications for the above listed project.

BE IT FURTHER RESOLVED, that the City Council of the City of Norwich hereby authorizes the Superintendent of Schools to file all applications necessary for the Code Work/Hazardous Materials, Abatement project described above at Kelly Middle School with the appropriate agencies.

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

WHEREAS, the City of Norwich treasures its history as an asset, and the Connecticut Commission on Culture and Tourism has designated sites in Norwich as part of the Connecticut Freedom Trail; and

WHEREAS, the City of Norwich desires to enhance and identify new sites; and

WHEREAS, the City of Norwich desires to preserve and enhance the historic and economic potential of such sites to include their use for educational purposes; and

WHEREAS, the City of Norwich desires to integrate these sites within the structure of other cultural heritage, historic preservation, and educational organizations at the local, state, regional and national levels;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that the City Historian be authorized to convene a committee to work toward the accomplishment of such task and report back to the City Council by June 16th on the progress of said committees.

Ald. Nash made a motion, seconded by Ald. Jacaruso, for adoption of the following resolution introduced by Alderman Jacaruso:

WHEREAS, members of the Norwich City Council serve on numerous Boards and Commissions which include voluntary members from the City of Norwich and

WHEREAS, such a commitment of time to participate in these boards and commissions require the presence of both citizen members and elected officials;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that it recommends members of the Council to provide as much advance notice as possible to the Chair of such Board or Commission whenever a member of the City Council becomes unable to attend a scheduled meeting of the Board or Commission they serve.

Upon motion of Ald. Zarnetske, seconded by Ald. Bettencourt, it was unanimously voted to amend the resolution by inserting the words or is going to be late to after the word attend in the last sentence of the last paragraph, and also to add the word Committee after the word Board in the last sentence of the last paragraph.

The motion to adopt, as amended carried on a vote of 4 to 2; Ald. Bettencourt and Coutu voting in opposition.

Upon motion of Ald. Desaulniers, seconded by Ald. Jacaruso, it was unanimously voted to move to executive session for the purpose of discussing strategy or negotiations with respect to collective bargaining. City Manager Bergren, Human Resources Director Dawkins and Corporation Counsel Driscoll will be asked to participate during some or all of the executive session as requested by the City Council.

The Council was in executive session from 8:37 PM to 9:00 PM at which time President Pro Tem Jacaruso declared no votes were taken.

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

RESOLVED, that the proposed Agreement between the City of Norwich, Connecticut and Local #892, IAFF, covering the period between July 1,2007 and June 30,201 1, be, and the same hereby is, approved in accordance with the provisions of Connecticut General Statutes, Section 4-474; and further, that the City Manager, Alan H. Bergren, be, and hereby is, authorized and directed to execute the same in the name of the City.

Upon motion of Ald. Coutu, seconded by Ald. Zarnetske, it was unanimously voted to table the following ordinance introduced by Mayor Lathrop, by request to March 3, 2008:

AN ORDINANCE AMENDING SUBSECTION 7.6.2 OF THE NORWICH ZONING ORDINANCE, APPENDIX A OF THE CODE OF ORDINANCES, BY REDUCING THE DISTANCE FROM 500 FEET TO 150 FEET WITHIN WHICH ADDITIONAL NOTICE BY CERTIFIED MAIL IS REQUIRED WHEN APPLYING FOR AN ACTIVE ADULT COMMUNITY

Upon motion of Ald. Desaulniers, seconded by Ald. Nash, it was unanimously voted to introduce, refer to the Commission on the City Plan and set public hearings on April 7, 2008, for the following ordinances introduced by Mayor Lathrop, by request :

AN ORDINANCE AMENDING SUBSECTION 7.6.4 (g) THE NORWICH ZONING ORDINANCE, APPENDIX A OF THE CODE OF ORDINANCES, TO INCREASE THE NUMBER OF PARKING SPACES FROM 1 1/2 SPACES TO 2 1/2 SPACES PER DWELLING UNIT IN AN ACTIVE ADULT COMMUNITY

AN ORDINANCE AMENDING SUBSECTION 8.3.1 (d) (7) OF THE NORWICH ZONING ORDINANCE, APPENDIX A OF THE CODE OF ORDINANCES, BY INCREASING THE NUMBER OF OFF-STREET PARKING SPACES TO BE PROVIDED FROM 1 ½ SPACES

AN ORDINANCE AMENDING SUBSECTION 15.1.2 OF THE NORWICH ZONING ORDINANCE, APPENDIX A OF THE CODE OF ORDINANCES, TO INCREASE THE OFF-STREET PARKING FOR CERTAIN BUILDINGS CONTAINING THREE OR MORE DWELLING UNITS FROM 1 1/2 SPACES FOR EACH DWELLING UNIT TO 2 1/2 SPACES FOR EACH DWELLING UNIT

AN ORDINANCE AMENDING SUBSECTION 15.1.17 OF THE NORWICH ZONING ORDINANCE, APPENDIX A OF THE CODE OF ORDINANCES, TO INCREASE THE NUMBER OF PARKING SPACES REQUIRED FOR PUBLIC HOUSING FOR THE ELDERLY FROM THREE-QUARTERS OF A PARKING SPACE FOR EACH DWELLING UNIT TO ONE PARKING SPACE FOR EACH DWELLING UNIT

AN ORDINANCE AMENDING SUBSECTION 15.1.24 (a) OF THE NORWICH ZONING ORDINANCE, APPENDIX A OF THE CODE OF ORDINANCES, TO INCREASE THE NUMBER OF PARKING SPACES FOR RESIDENTIAL USES WITHIN MILL BUILDINGS WHICH QUALIFY FOR INCLUSION WITHIN CHAPTER 7, HISTORIC DESIGN OVERLAY ZONE AND OTHER SPECIAL REGULATIONS, FROM 1 1/2 SPACES FOR EACH DWELLING UNIT TO 2 SPACES FOR EACH DWELLING UNIT

President Pro Tem Jacaruso then called for citizen comments.

Brian Curtin, 148 Broad Street, clarified the problem with the late pension checks by saying a new fund manager was appointed for this year and at the time they were preparing to take over the pension fund, the bank that was paying the checks under the old manager merged with State Street.

Paul Schroeder, 7 Yantic Lane, Chairman of the Personnel & Pension Board, said the problems are being corrected so future pension checks should be issued on time.

Susan Ponder, 82 Whipple Ave., said she observed two cars taking up four parking spots, and when she reported it to two parking commission workers, they said they would handle it; however, when she rode by the area a short time later, nothing had been done. She also asked why the dog pound was being moved out the Mohegan Park.

David Crabb, 47 Prospect St., said the City Charter is the law and he felt the Council should read it before they do any more spending.

Ernie Cohen, 136 Hunters Road, said when the new college opens up on New London Turnpike, there will be an increase of traffic and potential traffic tie-ups as well as accidents.

There being no further speakers, President Pro Tem Jacaruso declared citizen comment period closed.

Upon motion of Ald. Bettencourt, seconded by Ald. Nash, it was unanimously voted to adjourn at 9:29 PM.

ATTEST:


CITY CLERK