

The regular meeting of the Council of the City of Norwich was held August 18, 2008, 7:00 PM in Council Chambers. Present: Aldermen Bettencourt, Desaulniers, Jacaruso, Nash and Zarnetske and Mayor Lathrop. Also present were City Manager Bergren and Corporation Counsel Driscoll. Absent: Alderman Coutu.

Alderman Zarnetske withdrew the resolution relative to establishing a Charter Review Committee.

Upon motion of Ald. Jacaruso, seconded by Ald. Nash, it was unanimously voted to postpone the resolution relative to the discontinuance of a portion of Falls Avenue as a city street and the resolution relative to the acquisition of a discontinued portion of Falls Avenue by eminent domain to September 2nd.

Mayor Lathrop called for citizen comments.

David Crabb, 47 Prospect Street, said he was opposed to the four resolutions relative to transferring funds to the 2007-2008 Yantic Fire Department Budget, Emergency Management Budget, Occum Fire Department Budget and the Police Department Budget. He said these resolutions were a golden opportunity for discussing the theme of the resolution relative to establishing a Charter Review Committee's rationale of ambiguous charter language.

Keith Ripley, Meadow Lane, spoke on the resolution relative to accepting the offer of five local resident lawyers to conduct a review of the city charter. He said the public should get involved in the process for charter revision. Mr. Ripley also reminded the Council that they promised when they ran for election that when it came time for a charter revision or text amendments to the charter, the public would have their say.

Richard A. Thayer Sr., Thayers Marine, said he did a study on the proposed transportation center and the results show this proposal would be detrimental to his establishment and might possibly put him out of business. Mr. Thayer also suggested the City give him the land across the street and he would develop it.

John Newson, 17 Dellwood Road, spoke on the resolution relative to the offer of 5 lawyers to conduct a review of the charter. Mr. Newson said he is one of the five lawyers involved and the public would have the opportunity to have input.

Richard Thayer III, Thayers Marine, spoke on the proposed transportation center. He said the family has concerns with access during the construction, the visibility will not be good, the traffic will be increased with the buses coming and going every hour and it will be very difficult to find parking.

Sheila Hayes, 8 Pin Oak Terrace, spoke on the resolution relative to the restriction of vehicle traffic on Mohegan Park Road. She said if this were to be a permanent situation, she hoped the City would place more signs directing people to the inner part of Mohegan Park. Ms. Hayes also said she was in favor of the resolution relative to the review of the charter because she felt professionals could save time by reviewing the charter first and then have an avenue for the general public to have input.

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

City Manager Bergren gave his report as follows:

DATE: August 18, 2008
TO: Mayor Benjamin P. Lathrop & Council Members
FROM: Alan H. Bergren, City Manager
SUBJECT: City Manager's Report

Downtown Staff Meetings

Our Downtown Staff group's next meeting will be in September. Also, I recently contacted and spoke with John Renner representing Becker & Becker and the Wauregan. He and the new building manager will be getting together with our Police Chief and myself later this month regarding safety items. Staff continues to focus our efforts with city agencies and our community partners on strategies for an inviting and welcoming downtown for visitors and residents alike. As stated before, we will continue to keep the Council apprised of our progress and advised of any action required.

2. Greenville Fire Station Rehabilitation

We are going out to bid on the Greenville Fire Station exterior rehabilitation, with the recently executed \$50,000 grant from the CT. Commission on Culture and Tourism. Additional 100% matching funds were leveraged with Community Development Block Grant dollars. Bids will be due Sept. 18th.

3. Freedom of Information Workshop - Reminder

We are scheduled for Monday, September 29th for a Freedom of Information workshop for the Council and our Boards and Commissions. Tom Hennick, Public Education Officer from the Freedom of Information Commission, will conduct the workshop. A general notice to all parties will be sent out within the next few weeks.

4. Capital Improvement Program

Staff has begun work on our capital improvement plan and budget. Working closely with the Finance Department, the Planning and Development Office will be distributing instructions shortly. Not only will we be looking at next fiscal year and the subsequent four years; we also will be looking out to the next 10 and 20 years as it relates to infrastructure.

5. Bond Anticipation Notes Rating increase

Our Comptroller Joseph Ruffo informed me today that Standard & Poors Rating Agency rated our short-term bond anticipation notes AA-. This is a rating increase from our previous rating with Standard and Poors. The short-term borrowing is anticipation of a future bond sale in December. It appears from a financial and economic perspective at this time the agency determined our City's rating deserved an upgrade.

6. Fire Department's Equipment Inventory and Hose Needs

The bid for a firm to complete an equipment inventory for all fire departments will be released shortly. The Fire Chiefs and I expect to have results some time next month. Distributed last week to the Council was the hose needs for all Departments. The chart identified funding in place in the current fiscal year. I am working with the Fire Chiefs' at identifying other sources of funding to close the gap. Once we have a fiscal proposal together we will distribute this to the Council and Public Safety Committee.

She also said she was in favor of the resolution relative to the review of the charter because she felt professionals could save time by reviewing the charter first and then have an avenue for the general public to have input.

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

WHEREAS, the Yantic Fire Department incurred \$8,000 of unanticipated costs during fiscal year 2007-08 due to testing and replacement of hose and other gear damaged in various fire incidents.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that \$8,000 be and hereby is transferred to the 2007-08 Yantic Fire Department General Fund Budget from the 2007-08 General Fund Finance Department budget.

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

WHEREAS, the Emergency Management Department incurred \$6,000 of unanticipated costs during fiscal year 2007-08 due to the equipment rentals and materials used in the Peachtree Apartments fire incident and,

WHEREAS, the Emergency Management Department was able to absorb \$4,000 of these unanticipated costs.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that \$2,000 be and hereby is transferred to the 2007-08 Emergency Management Department General Fund Budget from the 2007-08 General Fund Finance Department budget.

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

WHEREAS, the Occum Fire Department incurred \$3,000 of unanticipated costs during fiscal year 2007-08 due to furnace repairs.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that \$3,000 be and hereby is transferred to the 2007-08 Occum Fire Department General Fund Budget from the 2007-08 General Fund Finance Department budget.

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

WHEREAS, the Police Department experienced roughly \$600,000 of unanticipated costs during fiscal year 2007-08 related to replacement overtime incurred due to the training of 10 new officers and covering shifts for officers on military and administrative leave, overtime worked in the Peachtree Apartments fire incident, replacement of a 911 dispatch logging recorder, and payouts of accrued sick and vacation time to two officers who retired during the year; and,

WHEREAS, the Police Department was able to absorb \$430,000 of these unanticipated costs by carefully monitoring its budget.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that \$170,000 be and hereby is transferred to the 2007-08 Police Department General Fund Budget from the following 2007-08 General Fund department budgets:

01002 Treasurer	\$10,000
01012 Finance	22,000
01013 Assessment	10,000
01022 Fire General	10,000
01023 East Great Plain Fire Department	5,000
01065 Economic Development	23,000
01090 Non-Departmental	50,000
01032 Recreation	40,000
TOTAL	<u>\$170,000.00</u>

Ald. Desaulniers made a motion, seconded by Ald. Jacaruso, for adoption of the following resolution introduced by Mayor Lathrop and Alderman Jacaruso:

WHEREAS, the City of Norwich has twice issued a request for proposals (RFP) from qualified firms and non-profit organizations pertaining to conducting a review of the Charter of the City of Norwich; and

WHEREAS, the proposals received by the City of Norwich have not been accepted, primarily because they were thought too costly; and

WHEREAS, five lawyers residing in Norwich, Lloyd Hinchey, Sarrette Williams, Arthur Lathrop, Melissa Olsen and John Newson have offered to review the Charter of the City of Norwich, to review charters of other town and cities within and without the State of Connecticut for comparison with the Norwich Charter and to prepare a report to the Council of the City of Norwich without charge for their time and efforts in this endeavor

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that it graciously accepts the offer of Lloyd Hinchey, Sarrette Williams, Arthur Lathrop, Melissa Olsen and John Newson to conduct a review of the Charter of the City of Norwich and of other charters and to make a report to the Council regarding the same without charge to the City of Norwich as it is anticipated that the work to be performed and the report to be generated will be of assistance to the Council of the City of Norwich given its prior requests for proposals for said services; but the Council expressly states it is not and has not appointed a Charter Revision Commission by its action herein and none of the time provisions and other

requirements of Chapter 99 of the Connecticut General Statutes are to be or shall be made applicable by adoption of this resolution; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that in accepting this offer the Council requests that said report be submitted to it by the first council meeting of December 2008.

Upon Ald. Desaulniers, seconded by Ald. Jacaruso, it was unanimously voted to amend the resolution by adding a paragraph after the fourth paragraph as follows:

BE IT FURTHER RESOLVED, that the Council urges the volunteers to consider the following three points:

1. Language in the Charter that could be clarified to improve the public's general understanding of, and confidence in, the Charter, its intent and purpose,
2. A comparative analysis of each chapter of the City Charter and similar chapters of municipal charter from cities around the country written within the last ten years.
3. Recommendations regarding substantive changes that could be made to the Charter along with a detailed explanation of the potential costs and benefits of making such changes.

Ald. Zarnetske made a motion, seconded by Ald. Bettencourt, to amend the resolution further by adding an additional paragraph as follows:

BE IT FUTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that the five volunteer attorneys are acknowledged as a city committee for the purpose of providing the services they have offered, but do not constitute a charter revision commission.

The motion carried on a vote of 5 to 1; Ald. Nash voting in opposition.

The motion to adopt, as amended, carried on a vote of 5 to 1; Ald. Nash voting in opposition.

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

WHEREAS, by the attached resolution adopted June 2, 2008, the Council of the City of Norwich restricted vehicle traffic on a portion of Mohegan Park Road through Labor Day 2008; and

WHEREAS, the Council wishes to extend the restriction of vehicle traffic through November 30, 2008 and to consider permanently restricting traffic on this portion of Mohegan Park Road.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Norwich that the resolution of June 2, 2008 be modified to extend the restriction of traffic through November 30, 2008.

THIS IS TO CERTIFY that the following is a true and attested copy of a resolution adopted by the Council of the City of Norwich at a meeting held on June 2, 2008, and that the same has not been amended or rescinded:

WHEREAS, a portion of Mohegan Park Road borders the beach on Spaulding Pond, the children's play area and two popular picnic areas, all in Mohegan Park, and

WHEREAS, the Council of the City of Norwich anticipates that these facilities will receive particularly heavy use during the summer of 2008; and

WHEREAS, numerous visitors to the park cross Mohegan Park Road in this area; and

WHEREAS, the Council of the City of Norwich finds that restricting vehicle traffic on a portion of Mohegan Park Road near these facilities is likely to create a safer environment for those using the park during the summer of 2008

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Norwich that:

- 1) It supports the implementation of measures to restrict vehicle traffic on Mohegan Park Road from a point south of the entrance to the parking area across from the beach on Spaulding Pond to an area north of the access to the recently acquired land identified as the "Anderson property" said restrictions to be in effect from June 14, 2008 through Labor Day 2008; and
- 2) It hereby requests Louis Fusaro as Chief of Police and Traffic Authority, in consultation with Alan H. Bergren as City Manager and Joseph Loyacano as Director of Public Works, to take such measures as he determines to be appropriate and required to block or restrict vehicle traffic at such points as he determines to be most suitable within the general location described above, while allowing reasonable access to this portion of roadway by emergency vehicles and vehicles engaged in park maintenance; and to arrange such signage and/or other methods of public notification to advise that vehicle traffic, except as described herein, is prohibited on this portion of Mohegan Park Road from June 14,2008 through Labor Day 2008; and
- 3) Upon determination by the Traffic Authority that the measures requested by the Council can be implemented, the Council of the City of Norwich hereby directs that a portion of Mohegan Park Road within Mohegan Park as identified by the Traffic Authority be limited to pedestrian traffic, except as reserved herein for emergency and park maintenance vehicles, from June 14,2008 to Labor Day 2008.

Dated at Norwich, Connecticut this 3rd day of June 2008.

ATTEST: Dee Anne Brennan
City Clerk

Mayor Lathrop then called for citizen comment.

David Crabb, 47 Prospect Street, spoke on the procedures for social security disability. Mr. Crabb said he had to evict one of his tenants because of a reduction in disability benefits.

Keith Ripley, Meadow Lane, said during a drive downtown he noticed "No Loitering" signs by the library and the Thayer Building. Mr. Ripley said this does not give a good image of the downtown area. Mr. Ripley also spoke about the inspection of multi-family dwellings, saying the possibility of structural fires cannot be ignored

Ernie Cohen, 136 Hunters Road, said he was concerned about the possibility of the tax payers paying for the Peach Tree Apartment building that burned, because it did not meet the fire codes. Mr. Cohen also said he was frustrated with the lack of businesses in the Norwich Town Mall.

John Newson, 17 Dellwood Road, thanked the Council for trusting him and his colleagues with the task of looking at the existing charter. He also requested copies of the adopted resolution to be distributed to the five volunteer attorneys.

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

Upon motion of Ald. Bettencourt, seconded by Ald. Desaulniers, it was unanimously voted to adjourn at 8:35 PM.

ATTEST:



CITY CLERK