



CITY OF NORWICH
CONNECTICUT

AGENDA – MEETING OF THE COUNCIL OF THE CITY OF NORWICH
July 20, 2020
7:30 PM

The meeting of the Council will seek to comply with the directives of Executive Order 7B-1 issued by Governor Ned Lamont on March 14, 2020, together with any Executive Orders subsequently issued which pertain to such meetings.

The Mayor, members of the City Council, the City Manager, City Clerk, Comptroller and Corporation Counsel shall be present in person but separated by appropriate social distancing at Council chambers or participate remotely by conference call, video conference or other technology.

The meeting shall be televised on the Public Access Channel and posted on the city website, www.norwichct.org, in real time consistent with Executive Order 7B-1 and the usual practices of the City of Norwich. All remarks or comments made by the Mayor, the members of the Norwich City Council, city officials, and by the public during Citizen Comment General (30 minutes) and the Citizen Comment on resolutions portion of the meeting, shall be included.

The citizen comment general (30 minutes) and comments of citizen on resolutions may be made telephonically pursuant to the following instructions:

Call phone number first dial 860-215-8140 and then when prompted, enter the conference ID# 4038191 followed by the pound (#) key.

This number will be available only during the citizen comment general (30 minutes) and public comment period listed on the agenda as Citizen Comment General (30 minutes) on non-agenda items and Citizen Comment on resolutions. Its use commences when Citizen Comment General (30 minutes) on non-agenda items and Citizen Comment on resolutions is reached and opened by the Mayor. Any calls must be made prior to the Mayor's announcement that the Citizen Comment General (30 minutes) on non-agenda items and Citizen Comment on resolutions period has ended.

Citizen Comment General (30 minutes) on non-agenda items and Citizen Comments on resolutions limited to the resolutions on the agenda may also be sent by email or means of other written communication stating the name, address and title if applicable, of the sender. Emails should be sent to the office of the Mayor at mayoroffice@cityofnorwich.org and other written communication sent or delivered to the office of the Mayor, 100 Broadway, Norwich, CT 06360. Emails must be received by 7:00 p.m., the above mentioned date, and other written communications received by 4:30 p.m., the above mentioned date, to be made available to the City Council for this meeting.

Citizen Comment General (30 minutes) on non-agenda items and Citizen Comments will be limited to the resolutions on the agenda only. All speakers taking part in the Citizen Comment

portion of the meeting shall clearly state their name, address and title, if applicable, before speaking and will be limited to three minutes.

PRAYER

PLEDGE OF ALLEGIANCE

CITIZEN COMMENT GENERAL (30 Minutes) call phone number first dial 860-215-8140 and then when prompted, enter the conference ID# 4038191 followed by the pound (#) key

PUBLIC HEARING

1. AN ORDINANCE APPROPRIATING \$410,000 FOR THE PURCHASE OF EQUIPMENT FOR THE NORWICH GOLF COURSE AND AUTHORIZING THE ISSUE OF \$410,000 OF NORWICH GOLF COURSE AUTHORITY INTERNALLY FUNDED DEBT OR BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

SECOND READING AND ACTION ON THE PROPOSED ORDINANCE LISTED ABOVE

PETITIONS AND COMMUNICATIONS


1. Memo from The Comptroller regarding the proposed Golf Course Authority Bond Ordinance. (previously received July 6, 2020)
2. Communication from the Chair of the Norwich Commission for Persons with Disabilities.
3. Letter of resignation of John Paul Mereen from the Norwich Golf Course Authority.

CITY MANAGER'S REPORT

CITIZENS COMMENT ON RESOLUTIONS (only on the agenda items) call phone number first dial 860-215-8140 and then when prompted, enter the conference ID# 4038191 followed by the pound (#) key

NEW BUSINESS-RESOLUTION

1. Relative to reappointments of a regular members and an alternate member to the Zoning Board of Appeals.


City Clerk

Council Ordinance

AN ORDINANCE APPROPRIATING \$410,000 FOR THE PURCHASE OF EQUIPMENT FOR THE NORWICH GOLF COURSE AND AUTHORIZING THE ISSUE OF \$410,000 OF NORWICH GOLF COURSE AUTHORITY INTERNALLY FUNDED DEBT OR 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 \$410,000 is appropriated for the purchase of golf course equipment for the Norwich Golf Course including, but not limited to, mowers, bunker rakes, sprayers, tractors and other work vehicles as well as any appurtenances, consultants and other services related thereto, all or so much of any portion of any part of the foregoing as may be accomplished within the foregoing appropriation and as determined by the Norwich Golf Course Authority (the "Authority"), and for administrative, advertising, printing, legal and financing costs (hereinafter the "Project"). Said appropriation shall be in addition to grant funding and all prior and future appropriations for said purpose.

Section 2. The total estimated cost of the Project is \$410,000. The average estimated useful life of the Project is seven years. The Projects is a general benefit to the City of Norwich (the "City") and its general governmental purposes. Project costs may be paid from bonds and notes issued by the City, obligations of the Authority (including internally funded debt), or any combination of the foregoing (collectively, the "Obligations").

Section 3. To meet said appropriation, up to \$410,000 of Obligations, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the seventh (7th) year after their date, or such later date as may be allowed by law. Said Obligations may be issued in one or more series as shall be determined by the City Manager and the Comptroller, and the amount of Obligations of each series to be issued shall be fixed by the City Manager and the Comptroller, provided that the total amount of Obligations 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 Obligations outstanding at the time of the issuance thereof and to pay for the administrative, printing and legal costs of issuing the Obligations. The Obligations shall bear such rate or rates of interest as shall be determined by the City Manager and the Comptroller. The City 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. The City bonds shall be general obligations of the City and 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 Obligations, annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such Obligations, 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") including Section 7-130r of the Statutes. Each Obligation shall recite that every requirement of law relating to its issue has been duly complied with, that

such Obligation is within every debt and other limit prescribed by law. In connection with the issuance of any City 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 City bonds or notes.

Section 4. The issue of the Obligations and of all other obligations of the City and the Authority heretofore issued and outstanding or 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 Obligations 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 City 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 Obligations. City 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. Any temporary Obligations shall be issued with maturity dates which comply with the provisions of the Statutes governing the issuance of such obligations, as the same may be amended from time to time. Any City notes shall be general obligations of the City and 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. Each temporary Obligation shall recite that every requirement of law relating to its issue has been duly complied with, that such obligation is within every debt and other limit prescribed by law. The net interest cost on such temporary Obligations, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or Obligations, shall be included as a cost of the Property. Upon the sale of any Obligations 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 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 Project with the proceeds of the Obligations authorized to by the City. The Obligations 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 City 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 Obligations, 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 Obligations 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 Project to any bonds, notes or other obligations of the City outstanding as of the date of such allocation, and the bonds, notes or obligations 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 Obligations 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 City bonds or notes relating to the Project in accordance with the provisions of the Statutes and the laws of the United States.

Section 12. That the principal and interest on any Obligations issued for the Project shall be repaid to the City by the Authority from funds in the Authority's operating budget and/or reserve accounts and any other funds available to the Authority, and that the City Council hereby authorizes the City Manager and the Comptroller to take such actions, and execute such repayment agreements, memoranda of understanding, instruments and documents with the Authority, on behalf of the City, that they deem necessary, appropriate or desirable to consummate the intendment of this Ordinance.

**Mayor Peter Albert Nystrom
Alderwoman Stacy Gould
Alderman Joseph A. DeLucia**



JOSHUA A. POTHIER, C.P.A.
COMPTROLLER
Phone: (860) 823-3720
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100 Broadway Room 105
Norwich, CT 06360-4431
www.norwichct.org/finance
jpothier@cityofnorwich.org

June 30, 2020

To: Mayor Peter Nystrom and Members of the Norwich City Council through City Manager John Salomone

Proposed Golf Course Authority Bond Ordinance

Golf Course Authority Background

The Golf Course Authority was created in January 1978 for the purposes of promoting and coordinating recreational activities, establishing and maintaining facilities, and providing for the public health and welfare of the citizens of the city.

The City acquired land (approximately 160 acres) in December 1977 for approximately \$1.2 million with \$600,000 from a Federal conservation grant, \$300,000 from a State of Connecticut open space grant, and \$300,000 from City funds. The grant agreements included a dedication agreement requiring that the land be used for “open space uses” which include recreation and conservation.

All operational expenses and the majority of improvements to the golf course since then have been paid for with the golf course’s operating revenues and non-city grant sources. The City has issued bonds in its name to pay for some of the golf course improvements, but all of the debt service payments on those bonds have been made by the Golf Authority from its revenues. The City Council has approved the following expenditures from the capital budget in recent years:

- FY2019-20 - \$50,078 to replace a tractor with turf tires, a PTO blower and a greens mower
- FY2020-21 – \$50,000 to replace reel grinding machine

Capital Projects Contemplated

Equipment Replacements

The NGCA has been maintaining the facilities with some very old equipment (several pieces are 20-30 years old). Because of the repair costs and inefficiency of the equipment, the NGCA believes it is prudent to replace this equipment in the near future. The equipment replacement is expected to cost \$410,000. The average estimated useful life of this equipment (listed below) is seven years.

- Groundmaster 1200 – Pull Behind Rough Mower
- Groundmaster 3200 4WD – Trim Rough Mower that does around trees and wooded areas
- Greensmaster TriFlex 3300 – Greens mower
- Two Reelmaster 5410-D – 2 Fairway Mowers
- Sand Pro 5040 – Bunker Rake
- Multi Pro 5800-G with ExcelaRate - Sprayer
- Two Workman HDX – 4WD – Heavy Duty Work Vehicles
- John Deere 4066R Tractor – Tractor

Proposed Bond Ordinance with Internal Financing

As with traditional bond ordinance financing, the City Council votes on a bond ordinance, but the City and NGCA could handle the financing internally. Here is how it would work:

- City Council adopts a bond ordinance for NGCA projects
- NGCA adopts a resolution authorizing the NGCA to reimburse the City for the capital projects
- NGCA begins to procure the capital items
- City pays for the capital items from a capital projects fund
- City charges any legal fees incurred to draft the bond ordinance and joint resolution to the NGCA bond project account in the capital projects fund
- City does not issue any debt related to the NGCA projects
- NGCA repays principal to the capital projects fund and interest to the general fund in accordance with the terms in the joint resolution

If the City were to experience a major cash shortage for whatever reason, the bond ordinance would allow the City to issue temporary or permanent financing for the NGCA projects. Depending on the timing of this financing, the notes or bonds may need to be made on a taxable, rather than tax-exempt basis.

Projected Budget Impact

As you can see, the NGCA ended fiscal year 2018-19 with a \$37,000 cash deficit. With the staffing pattern changes, incremental fee increases, and the successful implementation of the storage pond project, this deficit should be erased before the end of fiscal year 2020-21. The projects proposed in this

bond ordinance should reduce the NGCA's equipment maintenance costs and allow them to operate more efficiently.

Potential Risks

The NGCA has a long track record of managing its finances well and the projects proposed in this bond ordinance would assist the NGCA in continuing to manage its finances. However, there are a few areas of risk that the Council needs to be aware of.

Weather

The NGCA has managed its expenditures over the years when fluctuations in weather hurt its revenues. However, if the City experiences a few consecutive years of bad golf weather, the NGCA could be in a deficit position.

Decline in Popularity of the Sport of Golf

NGCA membership revenues have declined over the years and more golfers are paying greens fees. If this is merely an indication of the change in preference of golfers to pay-as-they-go rather than paying up front, then the NGCA should not be negatively impacted. However, if this trend points to a decline in the popularity of the sport, then it may pose the risk that future NGCA revenues will not be able to support its operations.

Aging Infrastructure

In addition to the old maintenance equipment used by the NGCA, it also has an old irrigation system. The irrigation system dates back to the late 1970's. The irrigation system may cost as much as \$1.5 million to replace. If it becomes necessary to replace the irrigation system, the NGCA operations could not support the debt service on such a project.

My name is Elanah Sherman. I live at 65 Cedar Street and I am Chair of the Norwich Commission for Persons with Disabilities.

The proclamation that was introduced tonight is emblematic of the support from the City that the Commission has received since its establishment in 2015. The purpose of the Commission is to monitor, encourage, and acknowledge the City's compliance with Title II of the Americans with Disabilities Act. The word "acknowledge" in our revised by-laws may be unique among such documents, and it is there for a reason. We truly believe that Commissions of this kind work best when we acknowledge compliance successes as often as we identify what still need to be done. And we have much to acknowledge and celebrate in Norwich in regard to ADA compliance.

ADA is a highly person-based law. And ADA compliance is a highly person-based process. The successes in Norwich are a result of good communication, shared values, and a high degree of receptivity among City officials and employees.

The City now has an effective communication policy, perhaps the only one among 169 Connecticut municipalities, that provides guidance on providing equity in communication for people with sensory and speech disabilities, as well as an assistive listening system in Council Chambers. (Thank you to City Clerk Betsy Barrett for helping us develop the policy and acquire the technology.) We have a constantly improving physical environment, with new paving at Brown Park, new curb ramps throughout the City, and a new accessible entrance at 23 Union St. (Thank you to DPW's Teresa Hanlon, with a special shout-out to Teresa by Commission member Cynthia Litton, for Teresa's quick responsiveness to our observations.) We have begun a collaboration with the Norwich Police Department to educate the public on violence against people with disabilities. (Thanks to the highly informed Sgt. Nick Rankin for his partnership in this initiative.) We have a Disability Awareness Week, established two years ago by the Council, during which we organize a wide array of activities that promote compliance and sensitivity, with participation and assistance by staff from Planning and Neighborhood Services, the City Manager's Office, the Registrars of Voters, Human Services, and (outside the realm of City government) NPU and Otis Library.

And there are others: A facilities staff that is always helpful and welcoming. A recording secretary, Ivery Stakely, provided by the City, who does not merely do her job, but does it with an enthusiasm that goes far beyond obligation. And a corporation counsel who is always available to answer my questions about protocol and procedure.

Of course, our very functioning depends upon our City liaison, Brigid Marks, who, as City ADA Coordinator, serves as our municipal point person, funneling requests, attending meetings, making everything that we do possible, and, most important, sharing our commitment to equity and equal opportunity. Such municipal ADA Coordinators are extremely rare.

And one last remark: This City-wide template of approachability and collaboration has been created and ensured by the Mayor's Office – Mayor Nystrom and his administrative assistant, Bonnie Cuprak. Their confirmation of our worth has enabled the Commission's effectiveness and has led to broad community support of the Commission's goals. This Mayor's Office has always been open to us and to the idea that true community is community that is open and accessible to all.

Thank you.

John Paul Mereen
22 Mediterranean Lane
Norwich, Connecticut 06360
860.887.1108
07.09.2020

Mr. Barney Caulfield, Chairman Norwich Golf Authority
Mr. Peter A. Nystrom, Mayor City of Norwich
Via email

Dear Barney and Peter,

It has been my pleasure to serve the City of Norwich as a member of the Norwich Golf Authority for the last 13 years. Looking back, I have had the pleasure of serving Norwich for the past 30 years. From the Inland Wetlands and Water Courses Commission, the City Council, the Harbor Management Commission to the Golf Authority, it has been an honor for me.

I am quite pleased that I was able make contributions in the development of the Occum Park, production of the Rock the Docks Concert Series and the development of the new irrigation pond at the golf course.

As you know there have been some changes in my life in the past two years. I feel it may be time to close this chapter and perhaps look into starting a new book.

Please accept my resignation from the Norwich Golf Course Authority as of the close of the July 15, 2020 Norwich Golf Course Authority meeting.

It has been a pleasure working with the members of the Authority, the golf course staff and City employees. I wish all the best in future endeavors.

Sincerely,


John Paul Mereen

TOWN CITY CLERK
NORWICH CT

2020 JUL 13 A 10:44

RECEIVED

RESOLUTION #1

WHEREAS, the City Manager John L. Salomone has reappointed with Councils approval as **regular members** to the Zoning Board of Appeals for a term to expire on 2/28/22 or until a successor is appointed;

Peter Cuprak (R)
David Martin (R)

WHEREAS, the City Manager John L. Salomone has reappointed with Councils approval as an **alternate member** to the Zoning Board of Appeals for a term to expire on 2/28/22 or until a successor is appointed;

Gregory Schlough (D)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Norwich hereby acknowledges the appointments of the above named to the Zoning Board of Appeals.

City Manager John L. Salomone