



CITY OF NORWICH
CONNECTICUT

AGENDA MEETING OF THE COUNCIL OF THE CITY OF NORWICH
October 16, 2023
7:30 PM

The meeting will be televised on the Public Access Channel and posted on the city website, www.norwichct.org, in real time.

PRAYER

PLEDGE OF ALLEGIANCE

CITIZENS COMMENT GENERAL (30 MINUTES)

PUBLIC HEARING

1. AN ORDINANCE EXEMPTING THE ORTHODOX CHURCH OF THE HOLY NEW MARTYRS AND CONFESSORS OF RUSSIA, INC. FROM THE PAYMENT OF TAXES ON CERTAIN PROPERTY LOCATED AT 8 HARLAND HEIGHTS FROM THE DATE OF PURCHASE

SECOND READING AND POSSIBLE ACTION ON THE ABOVE ORDINANCE

PETITION AND COMMUNICATION

1. Health Equity Committee Bi-Annual Report.

CITY MANAGER'S REPORT

EXECUTIVE SESSION

CITIZENS COMMENT ON RESOLUTIONS (on agenda items only)

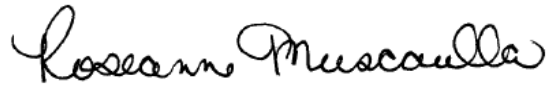
NEW BUSINESS RESOLUTIONS

1. Relative to an appointment of a regular member to Inland Wetland Watercourses Conservation Commission.
2. Relative to City Manager being authorized to grant the Church of the Divine Providence permission to sell beer at its "Taste of Poland Festival".

3. Relative to an amendment to existing American Rescue Plan Act allocations.
4. Relative to City Manager being authorized and directed to continue his negotiations with Patten Marina Holdings, LLC.

NEW BUSINESS ORDINANCE

1. AN ORDINANCE AMENDING THE ZONING REGULATIONS OF THE CITY OF NORWICH TO COMPLY WITH THE REQUIREMENTS OF PUBLIC ACT NO. 23-142

A handwritten signature in black ink, reading "Roseann Muscaulla". The signature is written in a cursive style with a large initial "R".

City Clerk

AN ORDINANCE EXEMPTING THE ORTHODOX CHURCH OF THE HOLY NEW MARTYRS AND CONFESSORS OF RUSSIA, INC. FROM THE PAYMENT OF TAXES ON CERTAIN PROPERTY LOCATED AT 8 HARLAND HEIGHTS FROM THE DATE OF PURCHASE

WHEREAS, that certain property located at 8 Harland Heights, Norwich, Connecticut was purchased by The Orthodox Church of the Holy New Martyrs and Confessors of Russia, Inc. on May 17, 2023 to be used as the dwelling house of the Priest; and,

WHEREAS, said property since May 17, 2023 has been used for the dwelling house of the Priest by the Orthodox Church of the Holy New Martyrs and Confessors of Russia, Inc.; and,

WHEREAS, said property was not considered to be tax exempt on the Grand List of October 1, 2022; and,

WHEREAS, Connecticut General Statute Section 12-81(b) provides that any municipality may, by ordinance, provide that the property tax exemption authorized by any of subdivisions (7-16), inclusive, of section 12-81 shall be effective as of the date of acquisition of the property to which the exemption applies and shall, in such ordinance, provide procedure for reimbursement of the tax-exempt organization for any tax paid by it for a period subsequent to said date; and,

WHEREAS, Connecticut General Statute Section 12-81(15) provides that real property, used by officiating clergymen as dwellings, shall be exempt from taxation; and,

WHEREAS, the Orthodox Church of the Holy New Martyrs and Confessors of Russia, Inc. subsequently filed an M-3 application with the Norwich Assessor for the real property located at 8 Harland Heights to be eligible for the exemption based on its' use; and,

WHEREAS, the Assessor has approved the exempt status based on its current use; and,

WHEREAS, taxes on the October 1, 2022 Grand List, which covers the period of October 1, 2022 through September 30, 2023 were \$6,290.06; and,

WHEREAS, The Orthodox Church of the Holy New Martyrs and Confessors of Russia, Inc. has paid the first half of the real estate taxes on the October 1, 2022 Grand List for the property located at 8 Harland Heights in the total amount of \$3,172.84; and,

WHEREAS, The Orthodox Church of the Holy New Martyrs and Confessors of Russia, Inc., owned the property located at 8 Harland Heights for a period of 136 days on the October 1, 2022 grand list; and,

WHEREAS, The Orthodox Church of the Holy New Martyrs and Confessors of Russia, Inc. would be entitled to a reimbursement in the amount of \$2,343.28.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH that such property at 8 Harland Heights be and hereby is exempted from the payment of any real estate taxes, interest or penalty due on the Grand List of October 1, 2022 from the date of purchase, May 17, 2023, as approved by the City Assessor, or until said premises are no longer used by The Orthodox Church of the Holy New Martyrs and Confessors of Russia, Inc. as the dwelling house of the

Priest and the City of Norwich shall reimburse The Orthodox Church of the Holy New Martyrs and Confessors of Russia, Inc. for any City of Norwich real estate taxes paid by it on the Grand List of October 1, 2022 for the period subsequent to May 17, 2023; which reimbursement shall be in the sum of \$2,343.28 for real estate taxes paid to the City of Norwich.

Mayor Peter Albert Nystrom
President Pro Tem Joseph A. DeLucia
Alderman Bill Nash

PETITION & COMMUNICATION #1

Report of the Health Equity Committee

September 2023

Committee Members

City Manager John Salomone or representative

Patrick McCormack or representative of Uncas Health District

Police Chief Patrick Daley or representative of the Norwich Police Department

Ms. Brigid Marks or representative of the Norwich Department of Human Resources

Director of Human Services, their successor or representative of the Norwich Human Services Department

Ms. Shiela Hayes, Norwich NAACP

Ms. Jennifer Granger or representative of United Community Family Services Healthcare

Ms. Cathy Special or designee for the Otis Library

Dr. Mohammed Qureshi, Hartford Healthcare

Dr. Kyle McClaine, or representative of Hartford Healthcare

Mr. Joseph Zuzel, Director of Community Health or representative, Hartford Healthcare (East)

Melissa Meyers, Chief Executive Officer, or designee of Generations

Laura Dietrich, Norwich Public Schools Director of Equity or representative

After the amended resolution in Oct 2022, The Health Equity Committee met in November 2022, January 2023, March 2023, April 2023, and June 2023 for the 2022/2023 fiscal year.

The committee has met in July 2023 and September 2023 in the 2023/2024 fiscal year.

The Health Equity Committee has engaged in the following work:

- Mission and Vision - Overview on Mission and Vision, elicit and share feedback from committee members about mission and vision language
 - Adopted the following mission “To eliminate disparities in health outcomes of all people in the City of Norwich due to all forms of current and historical systemic oppression, injustice, and discrimination”
 - Adopted the following vision “Everyone in the City of Norwich achieves their highest attainable level of health”
 - 6 areas of focus - identified and assigned members to each area of focus and set initial goals for each area. Numbers coincide with the resolution resolve points date July 19, 2021 (attached)
 - Health Equity Plan (3 & 4) Members: Cathy Special,
-

- Data (aggregation and analysis) (5 & 6) Members: Patrick McCormack, Dr. Walia,

- Direct Services (7 & 8) Members: Joseph Zuzel, Melissa Meyers, Dr. Walia
- Internal City processes (internal operations 9 & 10) Members: Brigid Marks, Kate Milde, Chief Patrick Daley
- Legislative advocacy (13 & 14) Members: Shiela Hayes, Patrick McCormack
- Goals and objectives (12) Members: _____

In the upcoming year, the Health Equity Health Committee will clearly define their role as they meet the goals of the resolution through mission and vision work. Committees have been assigned to all members.

JOURNAL OF THE COUNCIL OF THE CITY OF NORWICH JULY 19, 2021

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH,

1. The Norwich City Council asserts that racism is a public health crisis affecting our entire community;
2. The Norwich City Council and City Manager develop strategies that work to dismantle the systemic racism that creates barriers to strong public health. These strategies shall include access to data to drive equitable policies and a review of current policies and practices through a racial equity lens;
3. In partnership with Uncas Health District, develop a “Norwich Health Equity” plan that outlines detailed objectives and measurable goals in which the City will focus on root causes of the inequities that cause disparities in health outcomes for our residents;
4. Engage historically marginalized communities in identifying problems and solutions and supporting community-driven responses;
5. Ensure complete and regular availability of specific race and ethnicity data that documents the health inequities that exist in Norwich through collection, dissemination and remedies for gaps in that data to strengthen our collective understanding. This should include creating and implementing a Norwich Health Equity Measure Set, and data sharing between the Uncas Health District and relevant agencies of the State of Connecticut;
6. Conduct ongoing and enhanced analysis using all available data to understand the complexity of the interconnectedness of societal, environmental and behavioral factors that contribute to the impact of racism on access to those resources that promote good health including good jobs, access to healthy and affordable food, housing, equitable transportation options and excellent public education. This includes a more comprehensive understanding of racism and its impact on violence in the community both as a direct correlation to its existence and the impact that it creates on the overall health of people and the community at large;

7. Focus on access to prevention and treatment that is culturally and linguistically competent and meets communities where they are to counter the inequities that exist in health care;
8. Develop direct service programs and services to address the negative impact that these inequities have had on specific populations as well as programs that empower communities to tackle these systemic barriers;
9. The City Manager and Human Resource Director commit to conduct all human resources, vendor selection and grant management activities with a racial equity lens including reviewing all internal policies and practices such as examinations, hiring, promotions, leadership appointments and funding;
10. Promote racially equitable economic and workforce development practices;
11. Encourage community partners and stakeholders in the education, employment, housing, criminal justice and safety arenas to recognize racism as a public health crisis and to implement portions or all of this declaration;
12. All stakeholders identify clear goals and objectives, including specific benchmarks, to assess progress and capitalize on opportunities to further advance racial equity and report semiannual to the city council on the progress of these goals ; and
13. Advocate at the state and federal level for policies and funding and the Norwich City Council will consider in the organization's budget allocating adequate financial resources to accomplish these activities.

Respectfully submitted 9/14/23

Joseph Zuzel

Regional Director Community Health

Hartford HealthCare

Interim Chair

RESOLUTION #1

WHEREAS, the City Manager John L. Salomone, has appointed with Council approval as a **regular member** of the Inland Wetlands, Water Courses and Conservation Commission for a term to expire on June 15, 2025 or until a successor is appointed:

Christopher Seery (D)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Norwich hereby acknowledges the appointments of the above named to the Inland Wetlands, Water Courses and Conservation Commission.

City Manager John L. Salomone

RESOLUTION #2

WHEREAS, the Church of the Divine Providence (Divine Providence Parish) will hold a “Taste of Poland Festival” on Saturday, October 21, 2023 from 2:00-6:00 PM at Howard Brown Park located on the Norwich waterfront at 100 Chelsea Harbor Drive, Norwich, Connecticut featuring Dennis Polisky & Maestro’s Men, a Grammy nominated, Polka Hall of Fame band, live music with free admission and parking, with art activities, and authentic Polish food; and

WHEREAS, the organizer, Divine Providence Parish, proposes to make available beer for sale during the festival, the proceeds of the sales of beer and food to be used to support various programs and activities sponsored by the Divine Providence Parish, the sales of beer to be handled by an appropriate licensed and permitted entity.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that, pursuant to Section 13.14.2 of the Norwich Code of Ordinances, City Manager John Salomone be and hereby is authorized to grant the Divine Providence Parish permission to sell beer at its “Taste of Poland Festival” to be held on Saturday, October 21, 2023 at the Howard T. Brown Park, subject to satisfactory proof that the Divine Providence Parish has complied with the applicable regulations of the State Liquor Commission; that identification will be mandatory from each person purchasing an alcoholic beverage; that the sales of beer will be made under a proper liquor license, and that proper insurances will be obtained and maintained by the Divine Providence Parish and any vendor of beer for the event.

Mayor Peter Albert Nystrom
Alderman Stacy Gould
Alderman Bill Nash
Alderman Grant Neuendorf

Relative to amendment of existing American Rescue Plan Act allocations.

RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that the American Rescue Plan Act allocations adopted previously, be amended as follows:

No.	Project #	ARPA Exp. Code	Brief Description	Dept/ Entity	Details of requested change	Current balance unspent	Change + / (-)	City Manager recommended
1	ARP01	3.1-Public Sector Workforce: Public Safety	Law enforcement to reduce gun violence	Police Dept	Decrease appropriation of funds to make available to reprogram. PD continues to have difficulty hiring persons qualified to be police officers.	\$715,196	(\$500,000)	\$500,000 <u>back to available balance</u>
2	ARP02	2.35-Negative Economic Impacts: Aid to Tourism, Travel or Hospitality	Uncas Leap Heritage Park	Public Works	Additional funds for this project, to include the stairs to connect from Yantic to Sachem streets. \$90K is currently in Capital for the stairs, bid is \$225K.	\$2,401,793	\$150,000	\$150,000 <u>from available balance</u>
3	ARP42	2.22-Negative Economic Impacts: Strong Healthy Communities	Senior Center: assist with transportation for seniors.	Human Services	Allow \$28K from balance to be used to purchase additional vehicle which will increase capacity of services.	\$45,188	\$0	\$0 <u>no change to bottom line</u>
No.	Project #	ARPA Exp. Code	Brief Description	Dept/ Entity	Details of requested change	Current balance unspent	Change +/(-)	City Manager recommended
4	ARP63	2.37-Negative Economic Impacts: other assistance	YMCA project: clean up	Public Works	CRCOG have agreed both Loan and Grant funds, however Grant is not available as yet. Project requires additional funds to prevent delays in clean up. Grant funds can be offset when received.	\$338,244	\$186,719	\$186,719 <u>from available balance</u>
5	ARP51	2.37-Negative Economic Impacts: other assistance	Bridge replacement	Norwich Golf Course	Additional funds of up to \$95K needed to award lowest bid to complete project.	\$143,800	\$95,000	\$95,000 <u>from available balance</u>

6	New Project	2.37-Negative Economic Impacts: other assistance	Purchase of Land adjacent to Mohegan Park and Senior Center.	Public Works	Purchase for Open Space or potential future site for Police Dept. Such project would require a referendum.	N/A	\$385,000	\$385,000 from available balance
NET Total Dollar Amount								\$316,719
Prior BALANCE OF FUNDS AVAILABLE								\$316,719
REVISED FUNDS AVAILABLE AFTER ABOVE PROPOSED CHANGES								\$0 All available funds will be allocated

City Manager John Salomone

RESOLUTION #4

WHEREAS, on September 18, 2023 the Council of the City of Norwich adopted a resolution acknowledging the proposed assignment of the Ground Lease and Development Agreement for the Norwich Marina from JCM Norwich Marina Acquisitions, LLC to Patten Marina Holdings, LLC having concluded that Patten Marina Holdings, LLC is likely to be of sound financial standing sufficient to provide reasonable assurance of being financially able to perform its obligations under the Ground Lease and Development Agreement, the assignment of the Ground Lease and Development Agreement expected to take place within thirty (30) days of the adoption of the resolution and authorized and directed City Manager John Salomone to execute and deliver on behalf of the city its consent to the assignment of the Ground Lease and Development Agreement; and

WHEREAS, this resolution also authorized and directed City Manager John Salomone to negotiate, execute, and deliver on behalf of the city, such agreements and other documentation as he may deem prudent and necessary to effectuate the transition to new agreements based on the presently existing economic reality with Patten Marina Holdings, LLC which new agreements were to include a number of specified items or categories of items; and

WHEREAS, the City Manager, Kevin Brown of the Norwich Community Development Corporation, and its attorney and the Corporation Counsel have had a number of discussions with representatives of Patten Marina Holdings, LLC and with its attorney and have come to a number of understandings as well as identified areas for continuing discussions and negotiations; and

WHEREAS, JCM Norwich Marina Acquisitions, LLC and Patten Marina Holdings, LLC plan to hold a closing to assign to Patten Marina Holdings, LLC the Ground Lease, and Development Agreement within the next several days; and

WHEREAS, at the time of the previous assignment of the Ground Lease and Development Agreement from the American Wharf Development Corporation to JCM Norwich Marina Acquisitions, LLC, the Consent and Certificate executed by City Manager Alan Bergren on October 28, 2011 recognized that the Phase I and Phase II developments as called for in the Development Agreement had been materially and substantially performed and discharged and affirmative waived any rights to claim of default by JCM Norwich Marina Acquisitions, LLC of its obligation as successor developer under the Development Agreement and/or the Ground Lease with respect to the obligations to construct and develop the Phase I and Phase II Developments; and

WHEREAS, said Certificate and Consent further recognized that the obligations of the American Wharf Development Corporation with respect to the Development Agreement as to Phase III and Phase IV, and a Pedestrian Foot Bridge called for in Article 6 of the Development Agreement were in part deemed satisfied, in part deemed superseded or waived, and may in part remain unsatisfied; and

WHEREAS, through ongoing discussions in connection with the assignment of the Ground Lease and Development Agreement to Patten Marina Holdings, LLC it has become apparent that many of the initial terms and conditions of the Development Agreement and Ground Lease need to be reconsidered to include the terminating the Development Agreement and the entering into a new Ground Lease incorporating appropriate terms from the Development Agreement or a new Development Agreement, and provide an option to purchase the property in form of Patten Marina Holdings, LLC, said new Ground Lease and/or Development Agreement to recognize the city's interest as expressed in the council's resolution of September 18, 2023.

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 execute and deliver on behalf of the city such consents, certificates, and other documentation as he may deem prudent and necessary to document the status of the Marina Ground Lease and Marina Development Agreement and to consent to their assignment by JCM Norwich Marina Acquisitions, LLC to Patten Marina Holdings, LLC, or a related entity; and

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that City Manager John Salomone be and hereby is authorized and directed to continue his negotiations with Patten Marina Holdings, LLC in an effort to agree upon a new Ground Lease containing an option for purchase of the property developed under the Phase I, Phase II and Phase IV of the Development Agreement in favor of Patten Marina Holdings, LLC or to provide under an agreement satisfactory to him for the termination of the existing Development Agreement the incorporation of necessary protections for the city in a new Ground Lease or a new Development Agreement to include the elimination of the base rent payments of \$5,000 per annum in the years 2024, 2025, 2026, and the \$230,000 payment in the year 2027, and to negotiate a new rent structure for the remaining years of the present Ground Lease should an option to purchase not be exercised.

Mayor Peter Albert Nystrom
Alderswoman Stacy Gould
Alderman Swarnjit Singh

AN ORDINANCE AMENDING THE ZONING REGULATIONS OF THE CITY OF NORWICH TO COMPLY WITH THE REQUIREMENTS OF PUBLIC ACT NO. 23-142

WHEREAS, Public Act No. 23-142, section 1 became effective on October 1, 2023 and provides that:

“[N]o zoning regulation shall treat any family, childcare home, or group childcare home, located in a residence and licensed by the Office of Early Childhood pursuant to Chapter 368a, in a manner different from single or multi-family dwellings”; and

WHEREAS, Public Act No. 23-142 provides that zoning regulation shall not prohibit the operation in a residential zone of any family, childcare home or group childcare home located in a residence, or require any special zoning permit or special zoning exception for such operation; and

WHEREAS, Public Act No. 23-142 provides that not later than December 1, 2023, and annually thereafter, each municipality shall submit to the Office of Policy and Management a sworn statement from the chief executive officer of the municipality stating that the municipality’s zoning ordinances are in compliance, or the specific timeframe within which the municipality will bring its zoning ordinances into compliance; and

WHEREAS, this ordinance is intended to amend the Norwich Zoning Regulations such that they will comply with the requirements established by Public Act. No. 23-142, with changes being made to the following sections of the Norwich Zoning Ordinance.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH, that the following sections of the Norwich Zoning Regulations be amended or repealed as follows:

CHAPTER 1 RESIDENTIAL DISTRICTS

Section 1.2 Summary of Residential Uses by Zoning District,
Table Legend,
Home-Based Business

Family ~~day~~ **child** care homes

Group ~~day~~ **child** care homes; **and allow as an accessory use instead of requiring a Special Permit in the R-80, R-40, R-20, and multi-family zones.**

Section 1.3.3.1.2 “Family **or Group child** ~~day~~ care home” in accordance with C.G.S. S 19a-77, as amended.

Section 1.3.3.4.4 ~~Group day care home.~~ .5 Major home occupation in accordance with section 6.1.

Section 1.4.3.1.2 “Family **or Group child** ~~day~~ care home” in accordance with C.G.S. § 19a-77, as amended.

Section 1.4.3.4.4 ~~Group day care home.~~ .5 Major home occupation in accordance with section 6.1.

- Section 1.5.3.1.2 “Family ~~day~~ **or Group child** care home” in accordance with C.G.S. § 19a-77, as amended.
- Section 1.5.3.4.4 ~~Group day care home.~~ 5 Major home occupation in accordance with section 6.1.

CHAPTER 2 NEIGHBORHOOD COMMERCIAL DISTRICT, NC.

- Section 2.3.2.4.4 Family ~~day~~ **or Group Child** care homes in accordance with C.G.S. § 19a-77, as amended
- Section 2.3.2.4.4 Child ~~day~~ care center.
- Section 2.3.3.1.2 Family ~~day~~ **or Group child** care home in accordance with C.G.S. § 19a-77, as amended
- Section 2.3.3.4.4 ~~Group day care home.~~ Drive-through windows, as accessory to a permitted use in accordance with Section 6.16.
- Section 2.4.3.1.2 Family ~~day~~ **or Group Child** care home in accordance with C.G.S. § 19a-77, as amended.
- Section 2.4.3.1.7 Employee amenities (e.g., clinic, commissary, recreation center, ~~day~~ **child care center**).
- ~~Section 2.4.3.4.4 Group day care home.~~
- Section 2.5.3.1.2 Family ~~day~~ **or Group child** care home in accordance with C.G.S. § 19a-77, as amended.
- Section 2.5.3.1.7 Employee amenities (e.g., clinic, commissary, recreation center, ~~day~~ **child care center**)
- Section 2.6.3.1.2 Family ~~day~~ **or Group child** care home in accordance with C.G.S. § 19a-77, as amended.
- Section 2.6.3.1.7 Employee amenities (e.g., clinic, commissary, recreation center, ~~day~~ **child care center**)
- ~~Section 2.7.3.4.5 Group day care home.~~
- Section 2.9.3.1.4 Employee amenities (e.g., clinic, commissary, recreation center, ~~day~~ **child care center**)
- Section 2.10.4.1.4 Employee amenities (e.g., clinic, commissary, recreation center, ~~day~~ **child care center**)
- Section 2.11.3.1.4 Employee amenities (e.g., clinic, commissary, recreation center, ~~day~~ **child care center**)

CHAPTER 5 BASIC STANDARDS

Section 5.1.2 ~~Group day care homes and day~~ **Child** care centers – 1 space per employee plus one space for every 6 children enrolled

CHAPTER 6 USE REQUIREMENTS

Section 6.12.4 Accessory uses such as ~~day~~ **child** care centers, professional offices, outpatient treatment centers and such other uses as are commonly associated with and maintained in conjunction with the principal use, provided the total area devoted to accessory uses shall not exceed 35 percent of the total floor area of the entire facility may be conducted on the lot.

CHAPTER 9 DEFINITIONS

Section 9.2 **DAY CARE RELATED TERMS**
Day Care is a program of supplementary care provided to one or more persons on a regularly recurring, but part-time basis, in a place other than the recipient's own dwelling.

Day Care, Animal – see ANIMAL RELATED TERMS
~~Day~~ **Child** Care Center is defined in C.G.S. § 19a-77
Family ~~Day~~ **Child** Care Home is defined in C.G.S. §19a-77
Group ~~Day~~ **Child** Care Home is defined in C.G.S. § 19a-77

Family ~~day~~ **child** care **home** – see DAYCARE RELATED TERMS

Mayor Peter Albert Nystrom
Alderman Stacy Gould
Alderman Swarnjit Singh