

The regular meeting of the Council of the City of Norwich was held May 18, 2020 at 7:30 PM in Council Chambers. Present: Ald. Bettencourt, Ald. Nash, Gould, Wilson, Myles and DeLucia. City Manager Salomone and Corporation Counsel Michael Driscoll were also in attendance. Mayor Nystrom presided.

President Pro Tem Bettencourt read the opening prayer and Ald. Wilson led the members in the Pledge of Allegiance.

Please be advised that meetings of the Norwich City Council can be viewed in their entirety on the City of Norwich website “norwichct.org”.

Ald. Wilson read the following proclamation:

PROCLAMATION

WHEREAS, May 18th has been celebrated as Haitian Flag Day for generations, commemorating the flag’s creation in 1803 by Jean-Jacques Dessalines at the Congress of Arcahaie and recognizing the history, culture, and heritage of the Haitian people as they created their nation through a struggle for freedom that resonated across the globe and inspired independence movements in Latin America, Asia, and Africa; and

WHEREAS, the coat of arms depicts a trophy of weapons atop a green hill and royal palm symbolizing independence; and

WHEREAS, the motto L’Union Fait la Force means “Unity makes strength” depicts the vast amount of pride and dignity each Haitian has in their culture, community, and history; and

WHEREAS, Norwich is home to a large Haitian community which is an integral part of the fabric of the Rose City and contributes immeasurably to the entire City’s rich and unique diversity; and

WHEREAS, residents of Norwich are encouraged to take note of and honor the Haitian community, its history, and its role in and contributions to the City of Norwich.

NOW THEREFORE, I, MAYOR PETER ALBERT NYSTROM, NORWICH CITY COUNCIL PRESIDENT PRO TEM, MARK M. BETTENCOURT AND ALDERMAN DERELL Q. WILSON ON BEHALF OF THE NORWICH CITY COUNCIL AND THE CITIZENS OF THE CITY OF NORWICH, do hereby proclaim May 18th Haitian Flag Day in the City of Norwich and encourage all our citizens to observe with appropriate programs, ceremonies and activities.

Dated this Eighteenth Day of May, 2020

Peter Albert Nystrom
Mayor

Mark M. Bettencourt
President Pro Tem

Derell Q. Wilson Alderman

Mayor Nystrom called for citizen comment.

There were no speakers.

Mayor Nystrom declared citizen comment closed.

Mayor Nystrom called for a Public Hearing on AN ORDINANCE AMENDING ORDINANCE 1714 ADOPTED FEBRUARY 17, 2015 PERTAINING TO THE ADOPTIVE REUSE AND REHABILITATION OF THE HISTORIC PONEMAH MILLS BY EXTENDING A DATE FOR THE TERMINATION OF THE CONSTRUCTION PERIOD FROM JULY 1, 2020 TO DECEMBER 31, 2021

Speaking in favor:

There were no speakers.

Speaking in opposition:

There were no speakers.

There being no further speakers Mayor Nystrom declared the public hearing closed.

Mayor Nystrom called for the second reading and action on AN ORDINANCE AMENDING ORDINANCE 1714 ADOPTED FEBRUARY 17, 2015 PERTAINING TO THE ADOPTIVE REUSE AND REHABILITATION OF THE HISTORIC PONEMAH MILLS BY EXTENDING A DATE FOR THE TERMINATION OF THE CONSTRUCTION PERIOD FROM JULY 1, 2020 TO DECEMBER 31, 2021

Upon a motion Ald. Gould, seconded Ald. Myles, on a roll call vote it was unanimously voted to waive the reading of the full text and incorporate it into the minutes this ordinance being given it second reading.

Upon a motion Ald. Gould, seconded by Ald. Myles, to adopt the below ordinance introduced by Mayor Nystrom, President Pro Tem Bettencourt and Ald. Gould.

AN ORDINANCE AMENDING ORDINANCE 1714 ADOPTED FEBRUARY 17, 2015 PERTAINING TO THE ADOPTIVE REUSE AND REHABILITATION OF THE HISTORIC PONEMAH MILLS BY EXTENDING A DATE FOR THE TERMINATION OF THE CONSTRUCTION PERIOD FROM JULY 1, 2020 TO DECEMBER 31, 2021

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH, that Ordinance No. 1714, adopted February 17, 2015, be amended to extend a date on which the Construction Period shall terminate from July 1, 2020 to December 31, 2021 or upon the issuance of the first Certificate of Occupancy (“CO”) for the property, whichever occurs first. The amendment extending the date is made in the first enacting clause utilized in Ordinance 1714 replacing the date July 1, 2020 with December 31, 2021 as a date the Construction Period shall terminate, the amendment shown as follows:

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH, that real estate taxes on the real property improvements associated with the historic redevelopment and adaptive reuse of the Mill shall be abated for a period of 15 years during its renovation (the “Construction Period”). The Construction Period shall commence at the time of the issuance of the first building permit for new construction after the date of approval of this ordinance but no later than July 1, 2020. The Construction Period shall terminate on ~~July 1, 2020~~ *December 31, 2021* or upon the issuance of the first Certificate of Occupancy (“CO”) for the property, whichever occurs first.

The above ordinance passed on a roll call vote of 7-0.

City Managers Report:

To: Mayor Nystrom and members of the City Council
From: John Salomone, City Manager
Subject: City Manager's Report
Date: May 18, 2020

Meetings held via conference call or video conferencing included meetings with Governor Lamont, State representatives and legislators, Region 4 Division of Emergency Management & Homeland Security, Statewide COVID-19 Local Health Departments, SCCOG, School Budget Ad Hoc Committee, and Public Safety.

City staff and I have also had multiple meetings with Jason Vincent from NCDC who has been coordinating with many of the local restaurants to open for outdoor dining according to the Governors guidelines for May 20th. The City will be providing traffic barricades and picnic tables in some areas based on the restaurants plan. Downtown restaurants included for outdoor dining are Billy Wilsons, These Guys, and La Stella. Olde Tymes, 99 Restaurant, Sunset Pizza and Manny's are also planning to add outdoor areas. Restaurants resuming and working on a plan are Harp and Dragon, Scores at Holiday Inn, Caddy Shack, Canggih, 86'd, Uncle D's Blazin' BBQ, Johnny's Clam Shack and Poppy and Rye. Thank you Jason for providing the tools to assist our community restaurants to reopen Connecticut.

The Office of Community Development is accepting Community Development Block Grant applications for Program Year 45 as a substantial amendment to the current 2019-2020 annual plan until 4 pm on May 21st. Funding is available in the amount of \$506,569 and the funds must be utilized to prevent, prepare for or respond to the Covid-19 virus.

Lee-Ann Gomes, Director of Norwich Human Services and member of the Complete Count Committee has been working diligently to assist the City's residents to complete their census forms. Since the City's original outreach for the census was affected by Covid-19 she has gotten approval to allow caseworkers and volunteers to assist with phone calls to arrange census workers to contact our residents to complete the census over the phone. Thank you to the members and volunteers from the Complete Count Committee and students workers supplied from a grant from the Community Foundation of Eastern Connecticut and Representative Kevin Ryan who has been instrumental in assisting the City with this plan. Everyone counts.

Upon a motion of President Pro Tem Bettencourt, seconded by Ald. Wilson, on a roll call vote it was unanimously voted to suspend the rules.

Upon a motion of Ald. Nash, seconded by Ald. Wilson, on a roll call vote it was unanimously voted to add the following resolution #6 introduced by Mayor Nystrom, President Pro Tem Bettencourt and Ald. Nash.

WHEREAS, Ned Lamont, Governor of the State of Connecticut, on March 10, 2020, issued declarations of public health and civil preparedness emergencies, proclaiming a state of emergency throughout the State of Connecticut as a result of the Coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed spread in Connecticut, and on March 12, 2020 issued Executive Order No. 7 for the protection of public health and safety to take effect immediately and remain in effect for the duration of the state of emergency, unless earlier modified; and

WHEREAS, Governor Ned Lamont has since issued a number of Executive Orders relative to his declaration of public health and civil preparedness emergencies, which orders, including but not limited to any rules or guidelines issued by the Department of Economic and Community Development (DECD) for operations of businesses, have, among other things, restricted certain activities within the State of Connecticut for varying periods of time; some of which have been by subsequent orders clarified, modified, extended or terminated, and some of which, including Executive Order 7MM, have suspended or modified the provision of certain Connecticut General Statutes or any special act, municipal charter, ordinance, resolution, or regulation that conflicts with Executive Order 7MM (all such state and municipal laws and regulations being collectively described as the (“Covered Laws”); and

WHEREAS, by Executive Order 7MM, issued May 12, 2020 Governor Lamont indicated that his intention to issue an executive order. . .

“in the coming days providing for limited increased economic and recreational activity, including outdoor dining and outdoor retail, with conditions designed to protect the public health by reducing the risk of transmission of COVID-19”; and

WHEREAS, Executive Order 7MM, DECD Guidelines, and various Sector Rules issued under the title Reopen Connecticut establish a reopening process for certain sectors of Connecticut businesses, including outdoor dining and retail, which process provides for an expedited municipal review to be conducted by the individual municipal officials generally responsible for administrative enforcement of the relevant Covered Law or his or her designee, all referred to as the “Local Enforcement Official”; and

WHEREAS, the Council of the City of Norwich desires to avoid undue delay in the municipal review process, which may include review of requests to share lots, make use of expanded spaces, utilize appropriate sidewalks and non-vehicular rights-of-way as well as vehicular rights-of-way, through appropriate coordination on the part of local enforcement officers including the expediting of any necessary approvals or sign-offs; and

WHEREAS, the Council of the City of Norwich finds it to be in the interest of the city to permit the use of sidewalks and non-vehicular rights-of-way as well as vehicular rights-of-way when such can be done in a safe and protected manner consistent with the requirements and restrictions imposed under the governor’s executive orders, including Executive Order 7MM, DECD Guidelines, the Sector Rules applicable to Reopening Connecticut and any amendments thereto

NOW, THEREFORE BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF NORWICH, CONNECTICUT that City Manager John Salomone be and hereby is authorized and directed to coordinate expedited municipal reviews for outdoor dining and retail, to consult as he deems appropriate and necessary with Local Enforcement Officials including the zoning enforcement officer, the building official, the director of Public Works, the police chief and fire chief, the general manager of Norwich Public Utilities, the planning director, representatives of the Norwich Community Development Corporation, and representatives of the Uncas Health District and to assist to make available for the use of outdoor dining city-owned properties, if located within appropriately zoned areas, and public sidewalk and non-vehicular rights-of-way and vehicular rights-of-way within the control of the City of Norwich when it is his opinion and that of any involved Local Enforcement Official this may be safely and efficiently done.

AND BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF NORWICH, CONNECTICUT that City Manager John Salomone be and hereby is authorized and directed on behalf of the City of Norwich to enter into agreements satisfactory to him and the appropriate Local Enforcement Officials relative to the use of city property, sidewalks and non-vehicular rights-of-way, and vehicular rights-of-way in support of Outdoor Activities as defined in section 7MM of the General Statutes, subject to the terms and conditions of Executive Order 7MM, DECD Guidelines, and Section Rules applicable to such use and any amendments thereto, so long as the same shall be effective under the state of emergency declared by Governor Ned Lamont.

Mayor Nystrom called for citizen comment.

Marvin Serruto, 100 Starr St, spoke in favor of Resolution #3 and also spoke in favor of opening the City in Resolution #6 as soon as possible.

Brian Kobylarz, 16 Hobart Ave, asked to have Resolution #6 read into the record.

Joanne Philbrick, 10 Elm Ave, spoke in opposition to Resolution #6 being put on the agenda at the last minute.

Mayor Nystrom declared citizen comment closed.

Upon a motion of Ald. Myles, seconded by President Pro Tem Bettencourt, on a roll call vote it was unanimously voted to adopt the following resolution introduced by Mayor Nystrom, President Pro Tem Bettencourt and Ald. Gould.

WHEREAS, the Council of the City of Norwich, by resolution adopted April 6, 2015 leased certain land located off Wawecus Street between Routes 2 and 32 and the Norwich Little League complex from the State of Connecticut through its Department of Transportation, to be used for recreational purposes only, continuing a practice of leasing this land; and

WHEREAS, the lease runs for a term of five (5) years through July 31, 2020 and requires no monetary consideration; and

WHEREAS, the lease provides the City with the right to renew the lease for up two (2) additional five (5) year terms, subject to review and update of the rental fee; and

WHEREAS, the City is required to give notice to the state in order to exercise an option.

NOW, THEREFORE BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF NORWICH, CONNECTICUT that City Manager John Salomone be and hereby is authorized and directed to execute and deliver to the state an acknowledgment of the City's decision to renew the lease for an additional five (5) year period through July 31, 2025, all of the terms and conditions of the subject Lease Agreement to remain in full force and effect, by executing and returning a copy of the letter dated May 4, 2020, attached hereto as Exhibit A, with such other acknowledgment as he may deem appropriate.

Upon a motion of Ald. Myles, seconded by Ald. Nash, on a roll call vote it was unanimously voted to adopt the following resolution introduced by Mayor Nystrom, President Pro Tem Bettencourt and Ald. Myles.

BE IT RESOLVED that the following be appointed as a regular member to the Community Development Advisory Committee for a term to expire on December 31, 2020 or until a successor is appointed;

H. Tucker Braddock (D)

Upon a motion of Ald. Wilson, seconded by Ald. Myles, on a roll call vote it was unanimously voted to adopt the following resolution introduced by President Pro Tem Bettencourt, Ald. Wilson, Myles and Ald. DeLucia.

WHEREAS, in accordance with the Charter of the City of Norwich, the City Manager has submitted to the Council his proposed budget for the 2020-2021; and

WHEREAS, the Council has held a public hearing on this budget, has initially acted upon the City Manager's proposed budget in accordance with the Charter, and has held a second public hearing on the budget; and

WHEREAS, the Council recognizes that the City, and State are faced with exceptional financial challenges for the upcoming fiscal year, challenges which are to be addressed at a time of substantial uncertainty given the COVID-19 pandemic; and

WHEREAS, the Council finds it would be in the best interest of the City to limit city hiring and promotions during the remaining budget deliberation process prior to the adoption of the 2020-2021 budget, and to exercise fiscal prudence for a period thereafter, while also recognizing that some positions may need to be filled or will advantage the City by being filled, and acknowledging that the ongoing process of filling necessary city positions can be lengthy as such often requires the administration of tests and interviews prior to any decision on hiring.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that City Manager John Salomone be requested to implement a freeze on hiring whenever possible as to permanent positions in the City of Norwich to remain in effect until December 31, 2020, but excepting from such freeze his filling positions and making promotions when he has determined, in consultation with the Human Resources Director, that this is required by contract, required under current circumstances and/or Executive Order of the Governor, or which can be reasonably expected to result in a net savings to the City of Norwich.

Upon a motion of Ald. Gould, seconded by Ald. Nash, on a roll call vote it was unanimously voted to adopt the following resolution introduced by Mayor Nystrom, President Pro Tem Bettencourt and Ald. Gould.

WHEREAS, the Connecticut Department of Emergency Services and Public Protection maintains the Connecticut Land Mobile Radio Network (CLMRN) and encourages the shared use of the same in the State of Connecticut; and

WHEREAS, the City wishes to share the use of the CLMRN in order to improve public safety communications and enhance public safety; and

WHEREAS, the City of Norwich, has entered into a Construction and Right of Entry License Agreement with Wheelabrator Lisbon, Inc. allowing it to install an antenna and supporting equipment at the Wheelabrator facility in Lisbon, Connecticut, which equipment has been installed and is being tested for operational use with the CLMRN, and has established a communications facility on Orchard Street in Norwich including the installation and maintenance of equipment for operational use with the CLMRN; and

WHEREAS, the City of Norwich and the State of Connecticut through the Connecticut Department of Emergency Services and Public Protection propose to enter into a Memorandum of Understanding, to be substantially in the form of the document attached hereto as Exhibit A, to establish the respective parties responsibilities and other terms and conditions with respect to the city’s use of the CLMRN;

NOW, THEREFORE BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF NORWICH, CONNECTICUT that City Manager John Salomone be and hereby is authorized and directed on behalf of the City of Norwich to enter into, execute, deliver and receive a Memorandum of Understanding substantially similar to Exhibit A and satisfactory to him between the Connecticut Department of Emergency Services and Public Protection relative to the city’s use of the Connecticut Land Mobile Radio Network.

[Memorandum of Understanding](#)

Upon a motion of Ald. Nash, seconded by Ald. Myles, on a roll call vote it was unanimously voted to adopt the following resolution introduced by Mayor Nystrom, President Pro Tem Bettencourt and Ald. Gould.

WHEREAS, the State of Connecticut through the Connecticut Department of Emergency Services and Public Protection maintains a telecommunication facility located at 389 Ekonk Hill Road, Sterling, Connecticut; and

WHEREAS, the Connecticut Department of Emergency Services and Public Protection permits multiple entities to share this telecommunications facility as a means of improving their individual communications networks throughout the State of Connecticut thus preventing the proliferation of telecommunication towers throughout the state; and

WHEREAS, the City wishes to utilize this telecommunications facility to support its use of the Connecticut Land Mobile Radio Network thereby substantially improving the communications network used within the City of Norwich and to support the facilities the City of Norwich will be utilizing at the Wheelabrator facility in Lisbon, Connecticut in connection of its use of the Connecticut Land Mobile Radio Network; and

WHEREAS, the State of Connecticut Department of Emergency Services and Public Protection has requested the City of Norwich enter into a License Agreement or Memorandum of Understanding with respect to the City's use of this telecommunications facility site, including Norwich's location and storage of equipment thereupon, a draft copy of a draft License Agreement being attached to this resolution as Exhibit A.

NOW, THEREFORE BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF NORWICH, CONNECTICUT that City Manager John Salomone be and hereby is authorized and directed on behalf of the City of Norwich to enter into, execute, deliver and receive a License Agreement or Memorandum of Understanding satisfactory to him between the Connecticut Department of Emergency Services and Public Protection relative to the City's shared use of the telecommunications facility located at 389 Ekonk Hill Road, Sterling, Connecticut.

License Agreement

Upon a motion of Ald. Nash, seconded by Ald. Gould, on a roll call vote it was unanimously voted to put the following resolution on the floor.

Upon a motion of President Pro Tem Bettencourt, seconded by Ald. Gould, on a roll call vote it was unanimously voted to amend the following resolution in the last paragraph to change "General Statutes" to Executive Order".

WHEREAS, Ned Lamont, Governor of the State of Connecticut, on March 10, 2020, issued declarations of public health and civil preparedness emergencies, proclaiming a state of emergency throughout the State of Connecticut as a result of the Coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed spread in Connecticut, and on March 12, 2020 issued Executive Order No. 7 for the protection of public health and safety to take effect immediately and remain in effect for the duration of the state of emergency, unless earlier modified; and

WHEREAS, Governor Ned Lamont has since issued a number of Executive Orders relative to his declaration of public health and civil preparedness emergencies, which orders, including but not limited to any rules or guidelines issued by the Department of Economic and Community Development (DECD) for operations of businesses, have, among other things, restricted certain activities within the State of Connecticut for varying periods of time; some of which have been by subsequent orders clarified, modified, extended or terminated, and some of which, including Executive Order 7MM, have suspended or modified the provision of certain Connecticut General Statutes or any special act, municipal charter, ordinance, resolution, or regulation that conflicts with Executive Order 7MM (all such state and municipal laws and regulations being collectively described as the ("Covered Laws")); and

WHEREAS, by Executive Order 7MM, issued May 12, 2020 Governor Lamont indicated that his intention to issue an executive order. . .

"in the coming days providing for limited increased economic and recreational activity, including outdoor dining and outdoor retail, with conditions designed to protect the public health by reducing the risk of transmission of COVID-19"; and

WHEREAS, Executive Order 7MM, DECD Guidelines, and various Sector Rules issued under the title Reopen Connecticut establish a reopening process for certain sectors of Connecticut businesses, including outdoor dining and retail, which process provides for an expedited municipal review to be conducted by the individual municipal officials generally responsible for administrative enforcement of the relevant Covered Law or his or her designee, all referred to as the “Local Enforcement Official”; and

WHEREAS, the Council of the City of Norwich desires to avoid undue delay in the municipal review process, which may include review of requests to share lots, make use of expanded spaces, utilize appropriate sidewalks and non-vehicular rights-of-way as well as vehicular rights-of-way, through appropriate coordination on the part of local enforcement officers including the expediting of any necessary approvals or sign-offs; and

WHEREAS, the Council of the City of Norwich finds it to be in the interest of the city to permit the use of sidewalks and non-vehicular rights-of-way as well as vehicular rights-of-way when such can be done in a safe and protected manner consistent with the requirements and restrictions imposed under the governor’s executive orders, including Executive Order 7MM, DECD Guidelines, the Sector Rules applicable to Reopening Connecticut and any amendments thereto

NOW, THEREFORE BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF NORWICH, CONNECTICUT that City Manager John Salomone be and hereby is authorized and directed to coordinate expedited municipal reviews for outdoor dining and retail, to consult as he deems appropriate and necessary with Local Enforcement Officials including the zoning enforcement officer, the building official, the director of Public Works, the police chief and fire chief, the general manager of Norwich Public Utilities, the planning director, representatives of the Norwich Community Development Corporation, and representatives of the Uncas Health District and to assist to make available for the use of outdoor dining city-owned properties, if located within appropriately zoned areas, and public sidewalk and non-vehicular rights-of-way and vehicular rights-of-way within the control of the City of Norwich when it is his opinion and that of any involved Local Enforcement Official this may be safely and efficiently done.

AND BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF NORWICH, CONNECTICUT that City Manager John Salomone be and hereby is authorized and directed on behalf of the City of Norwich to enter into agreements satisfactory to him and the appropriate Local Enforcement Officials relative to the use of city property, sidewalks and non-vehicular rights-of-way, and vehicular rights-of-way in support of Outdoor Activities as defined in section 7MM of the Executive Order, subject to the terms and conditions of Executive Order 7MM, DECD Guidelines, and Section Rules applicable to such use and any amendments thereto, so long as the same shall be effective under the state of emergency declared by Governor Ned Lamont.

Motion passes on a roll call vote of 7-0.

Upon motion of Ald. Gould seconded by Ald. Nash, on a roll call vote it was unanimously voted to adjourn at 8:58 P.M.

Betsy Bennett

City Clerk