

The regular meeting of the Council of the City of Norwich was held June 5, 2023 at 7:30 PM in Council Chamber. Present: Mayor Nystrom, President Pro Tem DeLucia, Ald. Neuendorf, Gould, Singh, Burto and Nash. City Manager Salomone (via phone) and Corporation Counsel Michael Driscoll were also in attendance. Mayor Nystrom presided.

Ald. Nash read the opening prayer and President Pro Tem DeLucia 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”.

Upon a motion of Ald. Burto, seconded by Ald. Gould, on a roll call vote it was unanimously voted to accept the following minutes of May 1, 8 (public hearing) and 15, 2023.

Mayor Nystrom called for the following public hearing on AN ORDINANCE ESTABLISHING A FAIR RENT COMMISSION

Speaking in favor:

Rebecca Melucci, 383 Mohegan Park Rd, talked about the various boards, committees and her accomplishment, she would like to be a committee member on this the Fair Rent Commission.

Speaking in opposition:

Joanne Philbrick, Norwichtown, asked for more information for this unfunded mandate. She also asked who and how will it be administered.

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

The City Clerk read the following referral from the Commission on the City Plan:

CITY OF NORWICH
Commission on the City Plan
23 Union Street, Norwich, CT 06360
Telephone: (860) 823-3745, Fax: (860) 823-3741

May 17, 2023

TO: THE HONORABLE MAYOR AND ALDERPERSONS OF THE COUNCIL OF THE CITY OF NORWICH
RE: AN ORDINANCE APPROPRIATING \$6,000,000 FOR THE CITY OF NORWICH INFRASTRUCTURE IMPROVEMENT PROGRAM (2023) AND AUTHORIZING THE ISSUE OF \$6,000,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

The Commission on the City Plan, at the May 16, 2023 Hybrid Regular Meeting, reviewed and discussed the above-referenced referral.

Seated were Frank Manfredi, Kathy Warzecha, Michael Lahan, Deane Nason, and Ella Myles

After careful consideration, the Commission voted unanimously to forward a **FAVORABLE RECOMMENDATION** stating that the ordinance is consistent with the 2013 Plan of Conservation and Development to address transportation and mobility needs, and the strategy to continue to maintain roads and bridges in order to extend their useful life and minimize the need for expensive reconstruction.


Frank Manfredi, Chairman

RECEIVED
2023 MAY 18 A 9:01
TOWN CITY CLERK
NORWICH CT

Copies: City Clerk, City Manager, PW Director, Finance Director & City Attorney

Mayor Nystrom called for the following public hearing on AN ORDINANCE APPROPRIATING \$6,000,000 FOR THE CITY OF NORWICH INFRASTRUCTURE IMPROVEMENT PROGRAM (2023) AND AUTHORIZING THE ISSUE OF \$6,000,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Speaking in favor:

Pat McLaughlin, Director of Public Works, stated this will enhance our streets and asked the Council to pass this Ordinance.

Speaking in opposition:

There were no speakers.

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

Upon a motion of Ald. Singh, seconded by Ald. Gould, 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 its second reading.

Upon a motion of Ald. Singh, seconded by Ald. Gould, on a roll call vote it was unanimously voted to put the following ordinance introduced by Mayor Nystrom, Ald. Gould and Ald. Singh on the floor.

AN ORDINANCE ESTABLISHING A FAIR RENT COMMISSION

WHEREAS, Public Act No. 22-30 requires that any municipality with a population of 25,000 or more, as determined by the most recent decennial census, must establish a Fair Rent Commission by July 1, 2023 if it does not already have one, and notify and provide a copy of the ordinance to the Commissioner of Housing within thirty days of the adoption of the ordinance; and

WHEREAS, the Council of the City of Norwich, by this ordinance shall establish a Fair Rent Commission to comply with the requirements of Public Act No. 22-30

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH that the following ordinance creating a Fair Rent Commission for the City of Norwich and assigning powers and responsibilities to it in accordance with Connecticut General Statutes sections 7-148a through 7-148f, C.G.S. §47a-20, C.G.S. §21-80a, and C.G.S. §47a-23a, and as they may be amended, be and hereby is adopted to be codified in the Code of Ordinances of the City of Norwich as **Chapter 4 Article III. Fair Rent Commission**, Sections 4-39 to 4-46.

Article III. Fair Rent Commission

Section 4-39. Creation of Fair Rent Commission

- (a) Pursuant to and in conformity with C.G.S. §§ 7-148b through 7-148f, C.G.S. §47a-20, C.G.S. § 21-80a and C.G.S. §47a-23c, there is hereby created a Fair Rent Commission for the City of Norwich which shall have its principal office at 100 Broadway, Norwich, Connecticut or such other place as may be designated for the purpose of controlling and eliminating excessive rental charges for housing accommodations within Norwich, and to carry out the purposes, duties, responsibilities and all provisions of the above-described sections and any other statutory sections, as they may be amended from time to time, pertaining to fair rent commissions.
- (b) The commission shall consist of three (3) members and two (2) alternates, all of whom shall be electors of the City of Norwich. Of the three (3) regular members, at least one (1) shall be a landlord and one (1) shall be a tenant. Among the alternate members, at least one (1) shall be a landlord and one (1) shall be a tenant.
- (c) The members and alternates shall be appointed by the City Council. A quorum shall consist of two (2) members or seated alternates. Members of the commission shall serve without compensation.
- (d) Members of the commission shall be appointed for terms of two (2) years or until their successors shall be duly appointed. Vacancies on the commission shall be filled, within a reasonable time, in the manner of original appointment for the unexpired portion of the term. Any member of the commission may be reappointed in the manner of original appointment.
- (e) The commission may appoint a recording secretary.

Section 4-40. Powers of the Commission

The commission's powers shall include the power to:

- (a) Receive complaints, inquiries, and other communications concerning alleged excessive rental charges and alleged violations, including retaliation, of C.G.S. §§ 7-148b through 7-148f, inclusive, C.G.S. § 47a-20, C.G.S. § 21-80a and C.G.S. § 47a-23c in housing accommodations, except those accommodations rented on a seasonal basis, within its jurisdiction, which jurisdiction shall include mobile (manufactured) homes and mobile (manufactured) home parks and subdivisions and lots therein.
 - i. "Seasonal basis" means housing accommodations rented for a period or periods aggregating not more than 120 days in any one calendar year.
 - ii. "Rental charge" includes any fee or charge in addition to rent that is imposed or sought to be imposed upon a tenant by a landlord, and includes any charge that is already in effect;
- (b) Make such studies and investigations regarding rental housing within the City of Norwich as are appropriate to carrying out the duties and responsibilities delegated hereunder, and subject to the terms, limitations and conditions set forth herein;
- (c) Conduct hearings on complaints or requests for investigation submitted to it by any person, subject to the terms, limitations, and conditions as set forth herein;
- (d) Compel the attendance of persons at hearings, issue subpoenas and administer oaths, issue orders, and continue, review, amend, terminate, or suspend any of its orders and decisions;
- (e) Determine, after a hearing as set forth herein, whether or not the rent for any housing accommodations is so excessive as to be harsh and unconscionable;
- (f) Determine, after a hearing as set forth herein, whether a landlord has engaged in retaliation in violation of Section 4-44 herein and make such orders as are authorized herein;
- (g) Order of suspension or reduction of further payment of rent by the tenant until such time as the landlord makes the necessary changes, repairs, or installations so as to bring such housing accommodation into compliance with any municipal ordinance or state statute or regulation relating to health and safety;
- (h) Establish an escrow account in a local bank or financial institution into which it shall deposit all rent charges or other funds paid to it pursuant to Section 4-43 herein;
- (i) Carry out all of the provisions of C.G.S. §§ 7-148b through 7-148f, inclusive, C.G.S. § 47a-20, C.G.S. § 21-80a and C.G.S. § 47a-23c as now existing and as may hereinafter be amended, as they apply to fair rent commissions;

Section 4-41. Determination of Excessive Rent

- (a) In determining whether a rental charge or a proposed increase in a rental charge is so excessive, with due regard to all the circumstances, as to be harsh and unconscionable, the commission shall consider such of the following circumstances as are applicable to the type of accommodation:
 - (1) The rents charged for the same number of rooms in other housing accommodations in the same and in other areas of the municipality;
 - (2) the sanitary conditions existing in the housing accommodations in question;
 - (3) the number of bathtubs or showers, flush waste closets, kitchen sinks, and lavatory basins available to the occupants thereof;
 - (4) services, furniture, furnishings, and equipment supplied therein;
 - (5) the size and number of bedrooms contained therein;
 - (6) repairs necessary to make such accommodations reasonably livable for the occupants accommodated therein;

- (7) the amount of taxes and overhead expenses, including debt service, thereof;
- (8) whether the accommodations are in compliance with the ordinances of the municipality and the general statutes relating to health and safety;
- (9) the income of the petitioner and the availability of accommodations;
- (10) the availability of utilities;
- (11) damages done to the premises by the tenant, caused by other ordinary wear and tear;
- (12) the amount and frequency of increases in rental charges;
- (13) whether, and the extent to which, the income from an increase in rental charges has been or will be reinvested in improvements to the accommodations.

- (b) Nothing in this section shall preclude the Commission from considering other relevant circumstances.
- (c) The rent of a tenant protected by C.G.S. §47a-23c who timely and properly files a complaint with the commission pursuant to C.G.S. §47a-23(c)(1) may be increased only to the extent that such increase is fair and equitable based on the criteria set forth in §7-148c of the Connecticut General Statute.

Section 4-42. Procedures and Hearing on Complaints

- (a) The commission shall receive complaints from any person alleging a violation of this Article which violation is within the power of the commission to act upon, which complaint must be in writing utilizing forms provided by the commission. The commission shall not be obligated to schedule a hearing for any complaint filed until the complaint complies with the commission's filing requirements. Upon the receipt of a complaint made utilizing the forms provided by the commission, the commission shall promptly notify all parties in writing of the receipt of the complaint.
- i. Such notice shall also inform the parties that the landlord is prohibited from retaliating against the tenant due to the filing of the complaint.
 - ii. It shall also inform the parties that, until a decision on the complaint is made by the commission, the tenant's liability shall be for the amount of the last rent prior to the increase complained of or, if there is no such increase, the last agreed-upon rent, and that an eviction based upon non-payment of rent cannot be initiated against a tenant who continues to pay the last agreed-upon rent during the pendency of the fair rent commission proceeding.
- (b) In accordance with the state Freedom of Information Act, both the hearing itself and the deliberation by the commission shall be open to observation by the public.
- (c) If a complaint alleges housing conditions that violate a housing, health, building, or other code or statute, the commission shall notify the appropriate municipal official or agency, which may then concurrently exercise its own powers. In addition, the commission may request that the appropriate municipal official or agency promptly investigate and provide a report to the commission.
- (d) If two or more complaints are filed against the same landlord by tenants occupying different rental units in the same building, complex, or mobile home park that appear to raise the same or similar issues, the commission may consolidate such claims for hearing.
- (e) A hearing on a complaint shall be scheduled no later than thirty (30) days after the filing of the complaint, unless impracticable. Written notice of the date, time, and place of the hearing shall be given to the parties to the complaint at least ten (10) days prior to the hearing by first class and certified mail and, if practicable, by electronic mail. Hearings may be continued to later dates for reasons satisfactory to the commission and stated on the record.

- (f) The testimony taken at a hearing shall be made under oath. Hearings shall be recorded.
- (g) In the event that there is insufficient time to complete a hearing or for other cause, the commission shall have the power to continue or adjourn the hearing to another time and date.
- (h) No sale, assignment, transfer of the housing accommodation in question, or attempt to evict the tenant shall be cause for discontinuing any pending proceeding nor shall it affect the rights, duties, and obligations of the commission or the parties.

Section 4-43. Rent Reduction Order and Repairs

- (a) The commission shall render its decision at the same meeting at which the hearing on the complaint is completed or within thirty (30) days following such date, unless impracticable.
- (b) Until a decision on the complaint is made by the commission, the tenant’s liability shall be for the amount of the last rent prior to the increase complained of or, if there is no such increase, the last agreed-upon rent.
- (c) If the commission determines after a hearing that the rental charge or proposed increase in the rental charge for any housing accommodation is so excessive, based on the standards and criteria set forth, as to be harsh and unconscionable, it may order that the rent be limited to such an amount as it determines to be fair and equitable, effective the month in which the tenant filed the complaint.
- (d) The commission’s orders may include, but are not limited to, a reduction in a rental charge or proposed rent increase; a delay in an increased rental charge until specified conditions, such as compliance with municipal code enforcement orders, have been satisfied; or a phase-in of an increase in a rental charge, not to exceed a fair and equitable rent, in stages over a period of time. Commission orders shall be effective for at least one (1) year from the date of issuance unless the commission otherwise orders.

Section 4-44. Retaliation

- (a) No landlord shall engage in retaliatory actions. Retaliatory actions by a landlord include but are not limited to the following:
 - i. Refusing to renew the lease or other rental agreement of any tenant; bringing or maintaining an action or proceeding against the tenant to recover possession of the dwelling unit; demanding an increase in rent from the tenant; decreasing the services to which the tenant has previously been entitled; or verbally, physically, or sexually harassing a tenant because a tenant has filed a complaint with the fair rent commission;
 - ii. Engaging in any other action determined by the commission, after a hearing, to constitute landlord retaliation.

Section 4-45. Appeals

Any person aggrieved by any order or decision of the commission may appeal to the Superior Court within thirty (30) days of the issuance of the written notice of the decision to the parties. Such notice shall include notice of the right to appeal, the court to which an appeal may be taken, and the time in which an appeal must be filed. Unless otherwise directed by the commission or the court, the filing of an appeal shall not stay any order issued by the commission.

Section 4-46. Failure to Comply with Commission Orders

(a) Any person who violates any order of rent reduction or rent suspension by demanding, accepting, or receiving an amount in excess thereof while such order remains in effect, and no appeal pursuant to § 7-148e is pending, or who violates any other provision of this chapter or C.G.S. § 47a-20 or 21-80a or who refuses to obey any subpoena, order, or decision of the commission pursuant thereto shall be fined not less than \$25 nor more than \$100 for each offense.

i. If such offense continues for more than five days, it shall constitute a new offense for each day it continues to exist thereafter.

The commission, in its own name or through the municipality, may bring a civil action to any court of competent jurisdiction or take any other action in such a court to enforce any order of the commission made pursuant to this subchapter, or to enjoin a violation or threatened violation of any order of the commission.

On a roll call vote of 7-0 motion passes.

Upon a motion of Ald. Gould, seconded by Ald. Singh, 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 its second reading.

Upon a motion of Ald. Gould, seconded by Ald. Singh, on a roll call vote it was unanimously voted to put the following ordinance introduced by Mayor Nystrom on the floor.

AN ORDINANCE APPROPRIATING \$6,000,000 FOR THE CITY OF NORWICH INFRASTRUCTURE IMPROVEMENT PROGRAM (2023) AND AUTHORIZING THE ISSUE OF \$6,000,000 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 \$6,000,000 is appropriated for the planning, acquisition and construction of the City of Norwich Infrastructure Improvement Program (2023) (the “Project”). The Project shall consist of the improvement or new construction of roads, bridges and bridge structures, parking structures, sidewalks, piers and wharves, and appurtenant areas throughout the City of Norwich (the “City”). The specific improvements shall be determined from time to time by the Public Works Director and City Manager. Project improvements may consist of, but are not limited to, blasting, horizontal and vertical realignment, drainage installation, paving, curbing, milling, capping, landscaping and reclamation and for improvements to structures or utilities, incidental, appurtenant or encountered in the course of such improvements and for engineering, design, traffic control, administrative, consulting, advertising, printing, legal and financing costs related thereto. 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 \$6,000,000. No portion of the Project cost is expected to be paid from other sources other than the proposed bond issue. The estimated useful life of the Project is twenty (20) years. The Project is a general benefit to the City and its general governmental purposes.

Section 3. To meet said appropriation \$6,000,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the twentieth (20th) year after their date, or such later date as may be allowed by law. Said bonds may be issued in one or more series as shall be determined by the City Manager and the Comptroller, and the amount of bonds of each series to be issued shall be fixed by the City Manager and the Comptroller, provided that the total amount of bonds 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 bonds outstanding at the time of the issuance thereof and to pay for the administrative, printing and legal costs of issuing the bonds. The 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. They shall bear such rate or rates of interest as shall be determined by the City Manager and the Comptroller. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, that 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 bonds, annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, 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"). In connection with the issuance of any 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 bonds or notes.

Section 4. The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore 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 bonds 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 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 bonds. 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. They shall be issued with maturity dates which comply with the provisions of the Statutes governing the issuance of

such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, that 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 net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of said bonds 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 (the "Issuer") 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 capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds 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 Issuer 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 bonds, 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 bonds and notes 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 or notes of the City outstanding as of the date of such allocation, and the bonds or notes 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 bonds, notes or other obligations of the City 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 bonds or notes relating to the Project in accordance with the provisions of the Statutes and the laws of the United States.

Section 12. This ordinance shall not take effect unless and until adopted by the City Council and approved at referendum.

On a roll call vote of 7-0 motion passes.

Upon a motion of Ald. Gould, seconded by Ald. Neuendorf, on a roll call vote it was unanimously voted to accept the letter from Director of Planning and Neighborhood Development regard the Fair Rent Commission Ordinance.

Upon a motion of Ald. Gould, seconded by Ald. Burto, on a roll call vote it was unanimously voted to accept the report from the Commission on the City Plan of the City of Norwich, pursuant to Section 8-24 of the General Statutes and Chapter XV, Section 4 of the Norwich City Charter AN ORDINANCE APPROPRIATING \$6,000,000 FOR THE CITY OF NORWICH INFRASTRUCTURE IMPROVEMENT PROGRAM (2023) AND AUTHORIZING THE ISSUE OF \$6,000,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Upon a motion of Ald. Burto, seconded by Ald. Gould, on a roll call vote it was unanimously voted to accept the letter of resignation of Julie A. Menders from the Commission for Persons with Disabilities thanking her for her service.

CITY MANAGERS REPORT

To: Mayor Nystrom and members of the City Council
From: John Salomone, City Manager
Subject: City Manager’s Report
Date: June 5, 2023

Meetings attended were Connecticut Conference of Municipalities (CCM), Southeastern Council of Governments Executive Committee Meeting (SCCOG) NPU-City Coordination Meeting, NCDC Board of Directors meeting, and CT Investment Fund (CIF) Stakeholders.

The City of Norwich Plan of Conservation and Development (POCD) Committee will be holding their final community conversations to solicit input on the draft POCD. *Community Conversations* will be held on June 14th at 10 am at the Sr. Center and on the June 24th, there will be two sessions (5pm and 6 pm) at Foundry 66. The format of the meeting is a brief overview/presentation of the draft POCD and then soliciting input from the public. The City hopes to hear from residents to gather input and feedback to ensure that all voices are heard and included in the process. Please feel free to call the Planning Office at 860-823-3767 for more information.

My assistant, Jacquie Barbarossa, who is also the city’s liaison for the Neighborhood Assistance Act Program has received 7 applications for the 2023 program year totaling \$555,899.00. The public hearing for the

applications will be held June 19th and forwarded to the State of Connecticut Department of Revenue Services before the July 1st submission deadline. The Connecticut Neighborhood Assistance Act (NAA) Tax Credit Program provides funding for municipal and tax exempt organizations by providing corporation business tax credits for business that make cash contributions to the organizations that are approved by the Department of Revenue Services.

The City Clerk's Office has started to license dogs for the upcoming year. Please be sure to have a current rabies certificate. A self-addressed stamped envelope is required if mailing. Neutered/Spayed dogs are \$8.00 and Male/Female dogs are \$19.00. Please call the Clerk's office with any questions at 860-823-3732.

Norwich Human Services Prevention Coordinator trained administrators at Norwich Public Schools on Substance Use Signs and How to Respond. NYFS held a presentation at Kelly Middle School with Chris Herren, former NBA star who spoke to an audience of 160 about drug prevention and recovery. Chris who has almost 15 years of sobriety created the *Herren Project* – an addiction recovery nonprofit.

A Pride Flag Raising was held on June 2nd at the City Hall Plaza. The flag will be flown on the temporary pole until June 12th. Thank you Global Cities for coordinating the event.

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

Mayor Nystrom declared citizen comment open.

Mary Damm, 15 Brookside Dr, asked the Council to support Resolution #5.

Robert Aldi, 231 Scotland Rd, Chairman Board of Education, stated that Resolution #6 is underfunded.

John Blackburn, 15 Alice St, stated at the previous budget public hearings only four people showed up to speak and a tax increase would put a burden on the older population.

Joanne Philbrick, 10 Elm Ave, asked where everyone was when there were public hearings. She also stated that we can't continue to raise taxes.

LaShawn Cunningham, asked not to cut the education budget.

Shiela Hayes, 382 Laurel Hill Ave, spoke on Resolution #2 regarding arts, recreation and family activities, she asked to put the extra funding in the ARP account in monies toward education. She also supports Resolution #4 and #5.

Sara Roberts, 54 Mohegan Park Rd, stated Norwich doesn't have the greatest schools.

Mayor Nystrom declared citizen comment closed.

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

WHEREAS, the City of Norwich is an entitlement community receiving U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) dollars of \$806,276; \$27,800 anticipated return of loan (administration) for program year 2023; and

WHEREAS, the Community Development Advisory Committee (CDAC) has held public meetings and voted on their recommendations for CDBG allocations in the months of March and April; and

WHEREAS, the allocation process is subject to a 30-day comment period prior to being placed into effect and the Council of the City of Norwich must hold a public hearing regarding the recommendations prior to the final vote on the allocation.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that the Council shall and hereby does schedule a public hearing to be held at 7:30 p.m. during the June 19, 2023 Council meeting on the subject of Community Development Block Grant allocation recommendations for PY 2023

CDBG Requests - PY49 (2023-2024)		REVISED FUNDING	REVISED FUNDING
Anticipated PY 2023 Allocation	\$ 844,233.00	\$ 806,276.00	\$ 806,276.00
Total Anticipated Funding for PY49 program year	\$ 844,233.00	\$ 806,276.00	\$ 806,276.00
	PY49 Request	CDAC Recommendation	Council Recommendation
CD Office - Administration (20% of Grant Funds)	\$ 168,846.60	\$ 161,255.20	
Anticipated Return of Loan Admin	\$ 27,800.00	\$ 27,800.00	
Total Projected Admin Expenditures	\$ 176,250.00	\$ 176,250.00	
Public Services			
Children in Placement - Guardian at Litem (GAL)	\$ 25,000.00	\$ 25,000.00	
NHS Norwich Works	\$ 70,000.00	\$ 70,000.00	
Immigration Advocacy Support Center (IASC)	\$ 8,000.00	\$ 8,000.00	
Three Rivers Community College Food Pantry	\$ 15,000.00	\$ -	
TVCCA Homelessness Prevention	\$ 20,000.00	\$ 20,000.00	
Madonna Place COPE	\$ 15,000.00	\$ 15,000.00	
Safe Futures	\$ 15,000.00	\$ 15,000.00	
The Lefty Cycles Project Inc	\$ 15,000.00	\$ -	
OIC of NLC	\$ 30,000.00	\$ 30,000.00	
Total Public Services	\$ 213,000.00	\$ 183,000.00	
Non-Public Services			
NHA Rosewood Manor Exterior Renovations	\$ 200,000.00	\$ 200,000.00	
Futures Inc Air Quality	\$ 26,090.20	\$ -	
CD Property Rehabilitation	\$ 250,000.00	\$ 250,000.00	
Thermos Owner Assoc Parking	\$ 75,000.00	\$ -	
DPW Taftville Sidewalks	\$ 480,000.00	\$ 12,020.80	
Total Non-Public Services	\$ 1,031,090.20	\$ 462,020.80	
TOTALS			
Public Service	\$ 213,000.00	\$ 183,000.00	
Non-Public Service	\$ 1,031,090.20	\$ 462,020.80	
CD Administration	\$ 168,846.60	\$ 161,255.20	

Upon a motion of Ald. Gould, seconded by Ald. Burto, on a roll call vote it was voted to adopt the following resolution introduced by Mayor Nystrom, and Ald. Gould on the floor.

On a vote of 4-3 with President Pro Tem DeLucia, Ald. Singh and Burto voting on opposition.

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:

Item	Project #	ARPA Exp. Code	Brief Description	Dept/ Entity	Details of requested change	Balance of ARP funds	Change + / (-)	City Manager recommendation
1	ARP01	3.1-Public Health: Public Sector Workforce	Law enforcement, including reduction of gun violence.	Police	Keep funding for 1 Police Officer through 12/31/24. Move \$50K to ARP02. Funds will continue to cover OT for reduction of gun violence.	\$778,160	(\$50,000)	\$50,000 <u>to</u> <u>ARP02</u>
2	ARP02	2.35- Negative Economic Impacts: Aid to tourism, hospitality	Uncas Leap Heritage Park	Public Works	Extra funds needed to complete project.	\$2,264,100	\$300,000	\$300,000 <u>from</u> <u>ARP01 & ARP15</u>
3	ARP06	1.12-Public Health: Mental Health Services	Mental Health: system improvements within the community	Norwich Human Services	Move expenses for Senior Transportation to correction project <u>ARP42</u> .	\$250,320	\$20,152	\$20,152 <u>to</u> <u>ARP42</u>
4	ARP08	3.1- Public Health: Public Sector Workforce	Human Services Staffing – Case Workers	Norwich Human Services	Project includes 3 Caseworkers. One position became vacant recently and these funds will cover a FT receptionist through 6/30/24.	\$250,320	\$0	\$0 no change to bottom line
5	ARP15	2.35- Negative Economic Impacts: Aid to tourism, hospitality	Arts and Cultural support	Southeastern CT Cultural Coalition	Exec Director offered to return \$250K.	\$482,200	(\$250,000)	\$250,000 <u>to</u> <u>ARP02</u>
6	ARP42	2.22- Negative Economic Impacts: Strong Healthy Communities	Transportation for Seniors in the Community	Rose City Senior Center	Move funds to correct project number from <u>ARP06</u>	\$30,375	\$20,152	\$ 20,152 <u>from</u> <u>ARP06</u>
Total Dollar amount of De-obligated funds								\$0
Prior Balance of fund AVAILABLE								\$781,719
REVISED FUNDS <u>AVAILABLE</u> AFTER ABOVE PROPOSED CHANGES								\$781,719

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

RESOLUTION PROVIDING FOR REFERENDUM

BE IT HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH:

That the ordinance entitled “AN ORDINANCE APPROPRIATING \$6,000,000 FOR THE CITY OF NORWICH INFRASTRUCTURE IMPROVEMENT PROGRAM (2023) AND AUTHORIZING THE ISSUE OF \$6,000,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE”, as adopted by this meeting of the Council, be submitted to a referendum vote of the electors of the City for approval or disapproval in conjunction with the general election on November 7, 2023, between the hours of 6:00 A.M. and 8:00 P.M. and that the warning of said referendum state the question to be voted upon and the ballot label with respect thereto as follows:

Question 1:

“Shall the ordinance entitled ‘ORDINANCE APPROPRIATING \$6,000,000 FOR THE CITY OF NORWICH INFRASTRUCTURE IMPROVEMENT PROGRAM (2023) AND AUTHORIZING THE ISSUE OF \$6,000,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE’, as adopted by the City Council on June 19, 2023, be approved? YES NO”

The ballot label for said question shall read as follows:

“Shall the \$6,000,000 appropriation and bond authorization for the planning, acquisition and construction of the City of Norwich Infrastructure Improvement Program (2023), which consist of the improvement or new construction of roads, bridges and bridge structures, sidewalks, piers and wharves, and appurtenant areas throughout the City, as may be accomplished within said appropriation, pursuant to the ordinance adopted by the City Council on June 19, 2023, be approved? YES NO”

The voting will be by paper/electronic ballot. Those desiring to vote for the question shall fill in the box in front of the question on the ballot at “**YES**”. Those desiring to vote against the question shall fill in the box in front of the question on the ballot at “**NO**”. Absentee ballots will be made available in accordance with the law.

The warning of said referendum shall also state that the full text of the aforesaid ordinance and question are on file open to public inspection in the office of the City and Town Clerk, that the vote on the aforesaid bond ordinance is taken pursuant to Chapter VIII, Section 4 of the City Charter and Chapters 90 and 152 of the Connecticut General Statutes, as amended, and that absentee ballots will be made available in accordance with the law.

The City and Town Clerk is hereby authorized and directed to prepare and print pursuant to section 9-369b of the Connecticut General Statutes (i) explanatory text for the foregoing question and (ii) materials concerning such question in addition to the explanatory text.

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

WHEREAS, the Council of the City of Norwich expressed, by resolution adopted April 17, 2023 its honor for recognition of the service and sacrifice of American veterans; and

WHEREAS, by this resolution the Council specifically identifies the following veteran related programs:

- Tribute to America Program on August 11, 2023,
- the Veterans Day Program on November 11, 2023, and
- the Pearl Harbor Day Program on December 7, 2023

to be conducted from Friday, August 11, 2023 to December 7, 2023; and

WHEREAS, the Council of the City of Norwich wishes to express its continuing support for and sponsorship of these Programs.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that it wishes to amend its resolution adopted April 17, 2023 to state that the City of Norwich joins with the Norwich Veteran's Council and its component organizations in sponsoring these three Programs to be held in recognition of veterans in 2023.

Upon a motion of Ald. Burto, seconded by Ald. Neuendorf, on a roll call vote it was unanimously voted to adopt the following resolution introduced by Mayor Nystrom.

WHEREAS, Damm Creative, LLC has requested permission to hold various events in connection with a Rose Arts Festival to be held at Chelsea Parade on July 1, 2023, the event starting with a Children's Fun Run at 8:00 am and continuing with music and other entertainments through approximately 8:00 pm; and

WHEREAS, Damm Creative, LLC proposes to sell and serve beer and wine at Chelsea Parade during the Festival with this service to be provided by a vendor holding an off-premises vendor liquor permit.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that Damm Creative, LLC be and hereby is permitted to use Chelsea Parade to provide the listed and other events to be held in connection with the Festival on July 1, 2023 at Chelsea Parade; and

BE IT FURTHER 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 L. Salomone be and hereby is authorized and directed to grant Damm Creative, LLC permission to sell beer and wine at the Festival during the events to be held on July 1, 2023 at Chelsea Parade, subject to satisfactory proof that said sales are conducted by a vendor holding an appropriate liquor license and permit for said sales; that such sales be limited to the hours when such sales are permitted pursuant to the Connecticut General Statutes and the applicable regulations of the State Liquor Commission, and be

made no later than 8:00 pm on July 21, 2023; that identification will be mandatory for each person purchasing beer and/or wine at the event; and that insurance coverage satisfactory to the city manager has been obtained and maintained by both Damm Creative, LLC and the vendor selling beer and wine pursuant to an appropriate liquor license and permit.

Upon a motion of Ald. Nash, seconded by Ald. Gould, on a roll call vote it was unanimously voted to postpone the following resolution until the June 12, 2023 meeting the following resolution was introduced by Mayor Nystrom and Ald. Gould.

Upon a further motion of Ald. Singh, seconded by Ald. Nash on a roll call vote it was unanimously voted to allow public comment at the meeting on June 12, 2023.

Relative to the adoption of the budget for Fiscal Year 2023-24.

RESOLVED, that the budget of the City of Norwich; including the General Fund, Capital Budget, Town Consolidation District, City Consolidation District, and Department of Public Utilities; for Fiscal Year 2023-24 as submitted by the City Manager on April 3, 2023, as amended and tentatively adopted by the Council of the City of Norwich on May 1, 2023, as further amended by the Council of the City of Norwich on May 15, 2023 be, and the same hereby is, adopted.

Upon a motion of Ald. Gould, seconded by Ald. Singh, on a roll call vote it was unanimously voted to postpone the following resolution until June 12, 2023 and allow public comment at the meeting on the following resolution introduced by Mayor Nystrom and Ald. Gould.

Relative to the adoption of the appropriations ordinance for Fiscal Year 2023-24.

RESOLVED, that the appropriations ordinance of the City of Norwich; including the General Fund, Capital Budget, Town Consolidation District, and City Consolidation District; for Fiscal Year 2023-24 as submitted by the City Manager on April 3, 2023, as tentatively adopted by the Council of the City of Norwich on May 1, 2023, as amended by the Council of the City of Norwich on May 15, 2023 be, and the same hereby is, adopted.

Upon a motion of Ald. Singh, seconded by Ald. Burto, on a roll call vote it was unanimously voted to postpone the following resolution until June 12, 2023 and allow public comment at the meeting on the following resolution introduced by Mayor Nystrom and Ald. Gould.

Relative to the adoption of the tax levy ordinance for Fiscal Year 2023-24.

RESOLVED, that the tax levy ordinance of the City of Norwich for the Fiscal Year 2023-24 as submitted by the City Manager on April 3, 2023, as amended and tentatively adopted by the Council of the City of Norwich on May 1, 2023, as further amended by the Council of the City of Norwich on May 15, 2023 be, and the same hereby is, adopted.

AN ORDINANCE CONCERNING THE TAX LEVIES ON THE
LIST OF OCTOBER 1, 2022

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH:

Section 1. On the City Assessment list of October 1, 2022 a tax of forty-one and sixty-six hundredths (41.66) mills on the dollar is hereby established to be levied upon the ratable Real Estate and Personal Property within the City of Norwich of the inhabitants of said City and all others liable to pay taxes therein.

Section 2. On the City Assessment list of October 1, 2022, a tax of thirty-seven hundredths (0.37) mills on the dollar, is hereby established to be levied for fire services upon the ratable Real Estate and Personal Property within the Town Consolidation District of the inhabitants of said District and of all others liable to pay taxes therein.

Section 3. On the City Assessment list of October 1, 2022, a tax of six and seventy-nine hundredths (6.79) mills on the dollar, is hereby established to be levied for fire services upon the ratable Real Estate and Personal Property within the City Consolidation District of the inhabitants of said District and of all others liable to pay taxes therein.

Section 4. On the City Assessment list of October 1, 2022, a tax of thirty-two and forty-six hundredths (32.46) mills on the dollar is hereby established to be levied upon the ratable Motor Vehicles within the City of Norwich of the inhabitants of said City and all others liable to pay taxes therein.

Section 5. Except as provided in Section 6, all taxes on Real Estate and Personal Property listed in Sections 1 through 4 shall become due on July 1, 2023, and payable on said date in whole or in equal installments from that date, namely on July 1, 2023 and January 1, 2024, except that any tax of less than one hundred dollars shall be due and payable on July 1, 2023. If the first installment is not paid on or before August 1, 2023 or if the second installment is not paid on or before February 1, 2024, interest will be charged on any such delinquent payment at the rate of one and one-half (1½%) per cent per month from the due date or \$2.00 whichever is greater, as provided for in the general statutes. Any person may pay the total amount of such tax for which he is liable at the time when the first installment shall be payable.

Section 6. Taxes on Motor Vehicles shall become due and payable in full on July 1, 2023. If the payment is not paid on or before August 1, 2023 interest will be charged on the delinquent payment at the rate of one and one-half (1½%) per cent per month from due date or \$2.00 whichever is greater, as provided for in the general statutes.

Upon a motion by Ald. Gould, seconded by Ald. Singh, on a roll call vote it was unanimously voted to go into Executive Session pursuant to Connecticut General Statute Section 1-200(6) for the purpose to discuss the acquisition or disposition of real estate or interests in real estate when publicity regarding the site and the acquisition or disposition of interests in the same would adversely impact the price of the same, to review preliminary drafts of proposals pertaining to the use of the properties, and to review commercial or financial information given in confidence not required by statute, the Council having determined that the public interest in holding such discussion in Executive Session clearly outweighs the public interest in disclosure at this time. City Manager John Salomone, participating remotely, Finance Director Josh Pothier, President of the Norwich Community Development

Corporation, Kevin Brown, and Corporation Counsel Michael E. Driscoll, shall be asked to participate during all or portions of this Executive Session at the request of the City Council.

The council was in Executive Session from 8:26 pm to 9:10 pm, at which time Mayor Nystrom, stated no votes were taken.

Upon a motion of Ald. Gould, seconded by Ald. Burto, on a roll call vote it was unanimously voted to return to regular session.

Upon motion of Ald. Gould, seconded by Ald. Burto, on a roll call vote of 6-0 it was unanimously voted to adjourn 9:11 pm.



City Clerk