

The regular meeting of the Council of the City of Norwich was held September 7, 2021, at 7:30 PM in Council Chambers. Present: Mayor Nystrom, President Pro Tem Bettencourt, Ald. Nash, Gould, Wilson, Myles and DeLucia. City Manager Salomone and Corporation Counsel Michael Driscoll were also in attendance. Mayor Nystrom presided.

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. Myles read the opening prayer and the Boy Scouts of America Troop 4, led the members in the Pledge of Allegiance.

Upon a motion of Ald. Myles, seconded by Ald. Gould, on a roll call vote it was unanimously voted to adopt the minutes of August 2 and 16, 2021.

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

AN ORDINANCE AMENDING SECTIONS 8-74, 8-75 AND 8-77 OF ARTICLE IV OF CHAPTER 8 OF THE CODE OF ORDINANCES PERTAINING TO THE VOLUNTEER FIREFIGHTERS' RELIEF FUND PLAN OF THE CITY OF NORWICH

WHEREAS, plan changes have been proposed to the City of Norwich Volunteer Firefighters Pension Plan; and

WHEREAS, on or about October 5, 2020 the City of Norwich Finance Department received an analysis of the financial impact of the proposed changes prepared by the actuarial firm overseeing the pension fund; and

WHEREAS, the Volunteer Firefighter Relief Fund Committee at a special meeting held October 13, 2020 reviewed this financial analysis and voted to recommend the proposed plan changes to the Council of the City of Norwich

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Norwich, that the following amendments to Sections 8-74, 8-75, and 8-77 of Article IV of Chapter 8 of the Code of Ordinances listed as follows:

Section 8-74(a)(v)(6);

Section 8-74(a)(v)(7) (to be added);

Section 8-75(a) (i) and (ii), (subpart (ii) deleted in full);

Section 8-75(c)(vi), (amending 8-75(c)(vi) by deleting (i) and (2) and restating (vi));

Section 8-75(c)(vii), (to be added);

Section 8-77(d)(i)(1)(a) and (b);

Section 8-77(d)(i)(1)(c), (to be added).

BE AND HEREBY ARE ADOPTED.

Sec. 8-74. – Service

(v) Contribution rate. A plan member shall contribute the following amounts for purchase of credited service during the following periods:

- (1) \$60.00 for plan years prior to January 1, 1995.
- (2) \$84.00 for plan years on or after January 1, 1995 but prior to January 1, 2000.
- (3) \$120.00 for plan years on or after January 1, 2000 but prior to January 1, 2006.
- (4) \$180.00 for plan years on or after January 1, 2006 but prior to January 1, 2011.
- (5) \$216.00 for plan years on or after January 1, 2011 but prior to January 1, 2014.
- (6) \$264.00 for plan years on or after January 1, 2014 but prior to January 1, 2021.
- (7) \$288.00 for plan years on or after January 1, 2021.

Sec. 8-75. - Retirement benefits.

(a) Normal retirement.

~~(i) For members joining the plan prior to January 1, 2015, the A plan member's normal retirement date shall be the first day of the month in which such member has attained age 55 and has completed at least 20 years of credited service.~~

~~(ii) For members joining the plan on or after January 1, 2015, the plan member's normal retirement date shall be the first day of the month in which such member has attained age 55 and has completed at least 25 years of credited service.~~

(b) Deferred retirement. A plan member who is satisfactorily able to perform fire duties may remain an active member and continue to earn credited service beyond his/her normal retirement date while he/she continues to collect benefits. The first day of the calendar month following such deferred retirement shall be known as his/her deferred retirement date.

(c) Calculation of retirement benefits. The monthly amount of retirement benefits payable to a plan member shall be calculated as follows:

- (i) For retired members with a break in service prior to January 1, 1995, \$7.00 times 20 years of service, for a maximum of \$140.00.
- (ii) For retired members with a break in service on or after January 1, 1995 but prior to January 1, 2000, \$8.00 times number of years of credited service, with a maximum of 30 years, or \$240.00.
- iii) For retired members with a break in service on or after January 1, 2000 but prior to January 1, 2006, \$10.00 times number of years of credited service, with a maximum of 30 years, or \$300.00.
- (iv) For retired members with a break in service on or after January 1, 2006 but prior to January 1, 2011, \$15.00 times number of years of credited service, with a maximum of 35 years, or \$525.00.
- (v) For retired members with a break in service on or after January 1, 2011 but prior to January 1, 2015, \$18.00 times number of years of credited service, with a maximum of 40 years, or \$720.00.

- (vi) For retired members with a break in service on or after January 1, 2015 but prior to January 1, 2021, \$22.00 times number of years of credited service, with a maximum of forty years, or \$880.00;
- ~~(1) Forty years, or \$880.00, for members who joined the plan prior to January 1, 2015~~
- ~~(2) Thirty years, or \$660.00, for members who joined the plan on or after January 1, 2015~~
- (vii) For retired members with a break in service on or after January 1, 2021, \$24 times number of years of credited service, with a maximum of 40 years, or \$960.00

Sec. 8-77. - Death benefits.

- (d) Death after retirement.
 - (i) Qualified spousal and child benefits. A plan member who is under the age of 65 as of January 8, 2001 and is an active member is entitled to have benefits pass onto his/her qualified spouse and child(ren), subject to the restrictions and calculations described herein.
 - (1) Qualified spouse is entitled to death benefits until death or remarriage, calculated as follows:
 - a. Plan member who died between January 8, 2001 and July 16, 2006. Fifty percent of the deceased plan member's retirement benefit;
 - b. Plan member who died ~~after~~ between July 16, 2006 and January 1, 2021. Ninety percent of the deceased plan member's retirement benefit.
 - c. Plan member who dies after January 1, 2021. One hundred percent of the deceased plan member's retirement benefit.

Upon a motion of Ald. DeLucia, seconded by Ald. Wilson, on a roll call vote it was voted to replace the above Ordinance with the below Ordinance introduced by Ald. DeLucia.

AN ORDINANCE AMENDING SECTIONS 8-74 AND 8-75 OF ARTICLE IV OF CHAPTER 8 OF THE CODE OF ORDINANCES PERTAINING TO THE VOLUNTEER FIREFIGHTERS' RELIEF FUND PLAN OF THE CITY OF NORWICH

WHEREAS, plan changes have been proposed to the City of Norwich Volunteer Firefighters' Relief Fund Plan; and

WHEREAS, on or about October 5, 2020 the City of Norwich Finance Department received an analysis of the financial impact of the proposed changes prepared by the actuarial firm overseeing the pension fund; and

WHEREAS, the Volunteer Firefighters' Relief Fund Committee at a special meeting held October 13, 2020 reviewed this financial analysis and voted to recommend the proposed plan changes to the Council of the City of Norwich; and

WHEREAS, the Council of the City of Norwich accepts the recommendations for plan changes proposed by the Volunteer Firefighters' Relief Fund Committee with the exception of its proposal to increase the survivorship benefit.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Norwich, that the following amendments to

Sections 8-74 and 8-75 of Article IV of Chapter 8 of the Code of Ordinances listed as follows:

Section 8-74(a)(v)(6);

Section 8-74(a)(v)(7,) (to be added);

Section 8-75(a) (i) and (ii), (subpart (ii) deleted in full);

Section 8-75(c)(vi), (amending 8-75(c)(vi) by deleting (i) and (2) and restating (vi)); and

Section 8-75(c)(vii), (to be added).

BE AND HEREBY ARE ADOPTED.

Sec. 8-74. - Service.

(v) Contribution rate. A plan member shall contribute the following amounts for purchase of credited service during the following periods:

(1) \$60.00 for plan years prior to January 1, 1995.

(2) \$84.00 for plan years on or after January 1, 1995 but prior to January 1, 2000.

(3) \$120.00 for plan years on or after January 1, 2000 but prior to January 1, 2006.

(4) \$180.00 for plan years on or after January 1, 2006 but prior to January 1, 2011.

(5) \$216.00 for plan years on or after January 1, 2011 but prior to January 1, 2014.

(6) \$264.00 for plan years on or after January 1, 2014 but prior to January 1, 2021.

(7) \$288.00 for plan years on or after January 1, 2021.

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~~(ii) For members joining the plan on or after January 1, 2015, the plan member's normal retirement date shall be the first day of the month in which such member has attained age 55 and has completed at least 25 years of credited service.~~

(b) Deferred retirement. A plan member who is satisfactorily able to perform fire duties may remain an active member and continue to earn credited service beyond his/her normal retirement date while he/she continues to collect benefits. The first day of the calendar month following such deferred retirement shall be known as his/her deferred retirement date.

(c) Calculation of retirement benefits. The monthly amount of retirement benefits payable to a plan member shall be calculated as follows:

(i) For retired members with a break in service prior to January 1, 1995, \$7.00 times 20 years of service, for a maximum of \$140.00.

(ii) For retired members with a break in service on or after January 1, 1995 but prior to January 1, 2000, \$8.00 times number of years of credited service, with a maximum of 30 years, or \$240.00.

iii) For retired members with a break in service on or after January 1, 2000 but prior to January 1, 2006, \$10.00 times number of years of credited service, with a maximum of 30 years, or \$300.00.

(iv) For retired members with a break in service on or after January 1, 2006 but prior to January 1, 2011, \$15.00 times number of years of credited service, with a maximum of 35 years, or \$525.00.

(v) For retired members with a break in service on or after January 1, 2011 but prior to January 1, 2015, \$18.00 times number of years of credited service, with a maximum of 40 years, or \$720.00.

(vi) For retired members with a break in service on or after January 1, 2015 but prior to January 1, 2021, \$22.00 times number of years of credited service, with a maximum of:

~~(1) Forty years, or \$880.00, for members who joined the plan prior to January 1, 2015~~

~~(2) Thirty years, or \$660.00, for members who joined the plan on or after January 1, 2015~~

(vii) For retired members with a break in service on or after January 1, 2021, \$24 times number of years of credited service, with a maximum of 40 years, or \$960.00

On a roll call vote of 4-3 with Mayor Nystrom, Ald. Nash and Gould voting in opposition the above Ordinance is the replacement ordinance.

Upon a motion of President Pro Tem Bettencourt, seconded by Ald. Wilson, it was unanimously voted to bring back for second reading and action on September 20, 2021 on the above Ordinance.

Mayor Nystrom call for a public hearing on the AN ORDINANCE APPROPRIATING \$740,000 FOR THE PLANNING, PERMITTING AND ENGINEERING OF INFRASTRUCTURE ACCESS IN THE OCCUM SECTION OF THE CITY AND AUTHORIZING THE ISSUE OF \$740,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (Continued from August 2, 2021)

City Clerk read the following Petition and Communication:

CITY OF NORWICH
Commission on the City Plan
23 Union Street, Norwich, CT 06360
Telephone: (860) 823-3739, Fax: (860) 823-3741

Deanna Rhodes, AICP, CZEO
Director of Planning & Neighborhood Services

RECEIVED
2021 AUG 20 P 12:25

August 18, 2021

TOWN CITY CLERK
NORWICH CT

TO: THE HONORABLE MAYOR AND ALDERPERSONS OF THE COUNCIL OF THE CITY OF NORWICH
RE: Referral from the City Council - July 6, 2021 – AN ORDINANCE APPROPRIATING \$740,000 FOR THE PLANNING, PERMITTING AND ENGINEERING OF INFRASTRUCTURE ACCESS IN THE OCCUM SECTION OF THE CITY AND AUTHORIZING THE ISSUE OF \$740,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

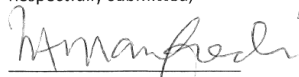
The Commission on the City Plan, at an August 17, 2021 hybrid Regular Meeting, reviewed and discussed the above-referenced referral.

Seated were Frank Manfredi, Kathy Warzecha, Swarnjit Singh Bhatia and Les king

After careful consideration, the Commission voted unanimously to forward a FAVORABLE recommendation to the Council, pursuant to Chapter XV, Section 4 of the City Charter.

REASON: The ordinance is consistent with the City of Norwich Plan of Conservation and Development relative to economic development initiatives.

Respectfully submitted,


Frank Manfredi, Chairman

CC: City Clerk, City Manager, City Attorney, Mark Block/NCDC Attorney & Kevin Brown/NCDC President

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 call for a public hearing on the AN ORDINANCE AMENDING PORTIONS OF ARTICLE VI OF CHAPTER 7 OF THE CODE OF ORDINANCES MODIFYING PENSION FUNDING POLICIES AND ESTABLISHING A GENERAL OBLIGATION PENSION BONDS RESERVE FUND

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 call for a public hearing on authorizing the City Manager to convey a parcel of land on North Thames St.

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.

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

AN ORDINANCE APPROPRIATING \$740,000 FOR THE PLANNING, PERMITTING AND ENGINEERING OF INFRASTRUCTURE ACCESS IN THE OCCUM SECTION OF THE CITY AND AUTHORIZING THE ISSUE OF \$740,000 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 \$740,000 is appropriated for the planning, permitting and engineering of infrastructure access in the Occum section of the City and authorizing the issue of \$740,000 bonds of the City of Norwich (the "City") including but not limited to planning, permitting, architecture, engineering and other consultants, appurtenances and services related thereto, all or so much of any portion of any part of the foregoing as may be accomplished within the foregoing appropriation and as determined by the City, and for administrative, advertising, printing, legal and financing costs (hereinafter the "Project"). Said appropriation shall be in addition to grant funding and all prior and future appropriations for said purpose.

Section 2. The total estimated cost of the Project is \$740,000. The average estimated useful life of the Project is 30 years. The Project is a general benefit to the City and its general governmental purposes. Project costs may be paid from grants, bonds and notes issued by the City, or any combination of the foregoing.

Section 3. To meet said appropriation, up to \$740,000 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 bear such rate or rates of interest as shall be determined by the City Manager and the Comptroller. 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. 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 equipment. 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 equipment 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 including but not limited to any “tax credit bond,” or “Build America Bonds” including Direct Payment and Tax Credit versions.

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 equipment in accordance with the provisions of the Statutes and the laws of the United States.

Motion to adopt the above Ordinance passes on a roll call vote of 7-0.

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

Upon a motion of Ald. Gould, seconded by Ald. Myles, on a roll call vote it was unanimously voted to put the following ordinance introduced by City Manager Salomone on the floor.

AN ORDINANCE AMENDING PORTIONS OF ARTICLE VI OF CHAPTER 7 OF THE CODE OF ORDINANCES MODIFYING PENSION FUNDING POLICIES AND ESTABLISHING A GENERAL OBLIGATION PENSION BONDS RESERVE FUND

WHEREAS, the City of Norwich (the "City") has established the City of Norwich Employees' Retirement Plan (the "Plan") for the benefit of certain employees and their beneficiaries; and

WHEREAS, retirement benefits for members of the Plan are paid from the Employees Retirement Fund (the "Fund"); and

WHEREAS, the assets of the Fund consist of pooled monies that include appropriations from the City and contributions from members of the Plan; and

WHEREAS, the Plan has a large unfunded actuarial accrued liability in the approximate amount of \$144 million and, as a result, the City's annual actuarially determined contribution to the Fund is projected to increase significantly each year; and

WHEREAS, section 7-374c of the Connecticut General Statutes, as amended, authorize municipalities to issue general obligation pension bonds to fund all or a portion of an unfunded actuarial accrued liability, as determined by an actuarial valuation, and the payment of costs related to the issuance of such bonds; and

WHEREAS, due to historically low interest rates for municipal debt, it is anticipated that the proceeds from the issuance of such bonds, when invested as part of Fund assets in higher yielding asset classes, should achieve a long-term rate of return that is greater than the interest rate owed over the term of the bonds; and

WHEREAS, the City's Comptroller projects that the issuance of such bonds is expected to lower the long-term net cost of the Plan, thereby improving the City's fiscal stability; and

WHEREAS, with Ordinance 1802, the City Council has authorized the issuance of general obligation pension bonds in the amount of \$145 million; and

WHEREAS, the City wishes to establish a reserve fund for the purpose of mitigating potential increases in the required annual actuarially determined contribution to the Fund in the event of significantly adverse market performance of pension assets.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH, that the following modifications be made to the ordinances governing the City's pension and funding policies:

Sec. 7-132. - Pension and other post-employment benefits funding.

The city shall have actuarial valuations of its pension and other post-employment benefits ("OPEB") plans performed at least biennially.

Sec. 7-132.1. - Actuarial cost method.

The city shall use an actuarial cost method which conforms to the current actuarial standards of practice and allocates normal costs over a period beginning no earlier than the date of employment and ~~should~~

~~not exceeding no later than~~ the last assumed retirement age. The selected actuarial cost method should be designed to fully fund the long-term costs of contractual benefits while equitably allocating the costs over the employees' period of active service.

Sec. 7-132.2. - Actuarial asset method.

The city shall recognize actuarial gains or losses on the differences between actual investment returns and the assumed rate of return over no longer than five years on a straight-line basis.

Sec. 7-132.3. - Amortization of unfunded actuarial accrued liability.

The Unfunded Actuarial Accrued Liabilities ("UAALs") as reflected in the regular Actuarial Valuation of the Fund shall be amortized over a closed period of 26 years starting on the July 1, 2021. Once the closed period reaches 10 years, the amortization method shall switch to a 10-year layered basis.

~~(a) — Generally. The Unfunded Actuarial Accrued Liabilities ("UAALs") that exist as of the last published valuation date prior to the adoption of this ordinance shall be amortized over no longer than 25 years. Changes in UAALs that occur after this date shall be amortized over no longer than 20 years.~~

~~(b) — Plans closed to new entrants. The UAAL amortization for such plans shall be treated the same as in a) until such plans have no remaining active members. When a plan is closed to new entrants and has no remaining active members, changes in the UAAL shall be amortized over no longer than ten years.~~

Sec. 7-132.4. - Contributions.

(a) Generally. The city shall contribute the ~~amount recommended by its actuary~~Actuarially Determined Contribution ("ADC"), as defined by Government Accounting Standards Board Statements 68 and 75, each fiscal year unless the amount varies by more than 15 percent ± from the previous year. This variance shall be calculated by division (e.g., Norwich Public Utilities, Norwich Public Schools, Police, Fire, Volunteer Fire, and all other General City).

(b) ~~Contribution recommended by actuary~~If the ADC is less than 85 percent of the previous year's contribution.~~±,~~ the city shall contribute an amount equal to 85 percent of the previous year's contribution.

(c) ~~Contribution recommended by actuary~~If the ADC is greater than 115 percent of the previous year's contribution.~~±,~~ the city shall contribute an amount equal to 115 percent of the previous year's contribution.

~~(d) — Notwithstanding, the city, and its respective divisions, may contribute less than the amounts prescribed by subsections (a), (b), and (c) to the other post-employment benefits fund for fiscal years 2018-19 through 2021-22.~~

[NEW] Sec. 7-133 – Pension obligation bonds and pension reserve fund.

Whenever the city has outstanding pension obligation bonds ("POBs"), Sec. 7-133 and its subsections shall supercede the contribution provisions in 7-132.4 for the pension fund or funds for which the POBs were issued and the divisions (within the meaning of Sec. 7-132.4) participating in such pension fund or funds.

[NEW] Sec. 7-133.1 – Pension reserve fund.

Upon issuance of POBs, the city shall establish a pension reserve fund. The pension reserve fund shall be a special revenue fund with the purpose of mitigating the volatility of future ADCs and shall be accounted for by division.

[NEW] Sec. 7-133.2 – Contributions.

- a) During the fiscal year in which the City issues POBs, the divisions shall contribute an amount equal to what their ADC would have been for that fiscal year to the pension reserve fund.
- b) During fiscal years subsequent to the issuance of POBs, the divisions shall contribute the ADC into the pension fund or funds for which the POBs were issued.
- c) In any fiscal year, if the amount of a division's ratable ADC plus its ratable debt service on the POBs decreases from the prior fiscal year, that division shall contribute the decreased amount in the following order until the specified limits provided below have been satisfied:
 - i. To the pension reserve fund in an amount equal to such difference capped at (1) – (2), where (1) is equal to six percent (6%) of the division's pension actuarial accrued liability as of the valuation date that determined the ADC for the current fiscal year, and (2) is equal to the division's pension reserve fund balance as of the same date ; then
 - ii. To the pension trust in an amount equal to such difference less any amounts contributed per (i) capped at (3) - (4), where (3) is equal to one hundred fifteen percent (115%) of the division's pension actuarial accrued liability as of the valuation date that determined the ADC for the current fiscal year, and (4) is equal to the division's pension actuarial value of assets as of the same date; then
 - iii. To the OPEB trust in an amount equal to such difference less any amounts contributed per (i) and (ii) capped at (5) - (6), where (5) is equal to one hundred fifteen percent (115%) of the division's OPEB actuarial accrued liability as of the valuation date that determined the ADC for the current fiscal year, and (6) is equal to the division's OPEB actuarial value of assets as of the same date.

[NEW] Sec. 7-133.3 – Distributions from the pension reserve fund.

- a) In any fiscal year, if the amount of a division's ratable ADC plus its ratable debt service on the POBs increases by more than three percent from the prior fiscal year, such division may use some or all of its share of the balance in the pension reserve fund to offset such increase in excess of three percent.
- b) After the POB debt is extinguished, the City Council may approve by resolution the use of a division's remaining balance in the pension reserve fund for one or more of the following purposes:
 - i. Additional contributions to the pension trust if such division's pension actuarial value of assets as of the most recent valuation date is less than one hundred fifteen percent (115%) of the division's pension actuarial accrued liability as of the same date;
 - ii. Additional contributions to the OPEB trust, if applicable to such division, if such division's OPEB actuarial value of assets as of the most recent valuation

- date is less than one hundred fifteen percent (115%) of the division's OPEB actuarial accrued liability as of the same date;
- iii. Capital improvements to benefit such division; or
- iv. Contributions to a self-insurance fund to benefit such division.

Purpose:

To amend pension funding policies, establish a pension reserve fund to further reduce volatility in the event the City issues pension obligation bonds, and remove language which will sunset in June 2022.

The below Ordinance as amended

Council’s Amending Ordinance

AN ORDINANCE AMENDING PORTIONS OF ARTICLE VI OF CHAPTER 7 OF THE CODE OF ORDINANCES MODIFYING PENSION FUNDING POLICIES AND ESTABLISHING A GENERAL OBLIGATION PENSION BONDS RESERVE FUND

WHEREAS, the City of Norwich (the “City”) has established the City of Norwich Employees’ Retirement Plan (the “Plan”) for the benefit of certain employees and their beneficiaries; and

WHEREAS, retirement benefits for members of the Plan are paid from the Employees Retirement Fund (the “Fund”); and

WHEREAS, the assets of the Fund consist of pooled monies that include appropriations from the City and contributions from members of the Plan; and

WHEREAS, the Plan has a large unfunded actuarial accrued liability in the approximate amount of \$144 million and, as a result, the City’s annual actuarially determined contribution to the Fund is projected to increase significantly each year; and

WHEREAS, section 7-374c of the Connecticut General Statutes, as amended, authorize municipalities to issue general obligation pension bonds to fund all or a portion of an unfunded actuarial accrued liability, as determined by an actuarial valuation, and the payment of costs related to the issuance of such bonds; and

WHEREAS, due to historically low interest rates for municipal debt, it is anticipated that the proceeds from the issuance of such bonds, when invested as part of Fund assets in higher yielding asset classes, should achieve a long-term rate of return that is greater than the interest rate owed over the term of the bonds; and

WHEREAS, the City’s Comptroller projects that the issuance of such bonds is expected to lower the long-term net cost of the Plan, thereby improving the City’s fiscal stability; and

WHEREAS, with Ordinance 1802, the City Council has authorized the issuance of general obligation pension bonds in the amount of \$145 million; and

WHEREAS, the City wishes to establish a reserve fund for the purpose of mitigating potential increases in the required annual actuarially determined contribution to the Fund in the event of significantly adverse market performance of pension assets.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH, that the following modifications be made to the ordinances governing the City's pension and funding policies:

Sec. 7-132. - Pension and other post-employment benefits funding.

The city shall have actuarial valuations of its pension and other post-employment benefits ("OPEB") plans performed at least biennially.

Sec. 7-132.1. - Actuarial cost method.

The city shall use an actuarial cost method which conforms to the current actuarial standards of practice and allocates normal costs over a period beginning no earlier than the date of employment and ending no later than the last assumed retirement age. The selected actuarial cost method should be designed to fully fund the long-term costs of contractual benefits while equitably allocating the costs over the employees' period of active service.

Sec. 7-132.2. - Actuarial asset method.

The city shall recognize actuarial gains or losses on the differences between actual investment returns and the assumed rate of return over no longer than five years on a straight-line basis.

Sec. 7-132.3. - Amortization of unfunded actuarial accrued liability.

The Unfunded Actuarial Accrued Liabilities ("UAALs") as reflected in the regular Actuarial Valuation of the Fund shall be amortized over a closed period of 26 years starting on the July 1, 2021. Once the closed period reaches 10 years, the amortization method shall switch to a 10-year layered basis.

Sec. 7-132.4. - Contributions.

(a) Generally. The city shall contribute the Actuarially Determined Contribution ("ADC"), as defined by Government Accounting Standards Board Statements 68 and 75, each fiscal year unless the amount varies by more than 15 percent \pm from the previous year. This variance shall be calculated by division (e.g., Norwich Public Utilities, Norwich Public Schools, Police, Fire, Volunteer Fire, and all other General City).

(b) If the ADC is less than 85 percent of the previous year's contribution, the city shall contribute an amount equal to 85 percent of the previous year's contribution.

(c) If the ADC is greater than 115 percent of the previous year's contribution, the city shall contribute an amount equal to 115 percent of the previous year's contribution.

[NEW] Sec. 7-133 – Pension obligation bonds and pension reserve fund.

Whenever the city has outstanding pension obligation bonds ("POBs"), Sec. 7-133 and its subsections shall supercede the contribution provisions in 7-132.4 for the pension fund or funds for which the POBs were issued and the divisions (within the meaning of Sec. 7-132.4) participating in such pension fund or funds.

[NEW] Sec. 7-133.1 – Pension reserve fund.

Upon issuance of POBs, the city shall establish a pension reserve fund. The pension reserve fund shall be a special revenue fund with the purpose of mitigating the volatility of future ADCs and shall be accounted for by division.

[NEW] Sec. 7-133.2 – Contributions.

- a) During the fiscal year in which the City issues POBs, the divisions shall contribute an amount equal to what their ADC would have been for that fiscal year to the pension reserve fund.
- b) During fiscal years subsequent to the issuance of POBs, the divisions shall contribute the ADC into the pension fund or funds for which the POBs were issued.
- c) In any fiscal year, if the amount of a division's ratable ADC plus its ratable debt service on the POBs decreases from the prior fiscal year, that division shall contribute the decreased amount in the following order until the specified limits provided below have been satisfied:
 - i. To the pension reserve fund in an amount equal to such difference capped at (1) – (2), where (1) is equal to six percent (6%) of the division's pension actuarial accrued liability as of the valuation date that determined the ADC for the current fiscal year, and (2) is equal to the division's pension reserve fund balance as of the same date ; then
 - ii. To the pension trust in an amount equal to such difference less any amounts contributed per (i) capped at (3) - (4), where (3) is equal to one hundred fifteen percent (115%) of the division's pension actuarial accrued liability as of the valuation date that determined the ADC for the current fiscal year, and (4) is equal to the division's pension actuarial value of assets as of the same date; then
 - iii. To the OPEB trust in an amount equal to such difference less any amounts contributed per (i) and (ii) capped at (5) - (6), where (5) is equal to one hundred fifteen percent (115%) of the division's OPEB actuarial accrued liability as of the valuation date that determined the ADC for the current fiscal year, and (6) is equal to the division's OPEB actuarial value of assets as of the same date.

[NEW] Sec. 7-133.3 – Distributions from the pension reserve fund.

- a) In any fiscal year, if the amount of a division's ratable ADC plus its ratable debt service on the POBs increases by more than three percent from the prior fiscal year, such division may use some or all of its share of the balance in the pension reserve fund to offset such increase in excess of three percent.
- b) After the POB debt is extinguished, the City Council may approve by resolution the use of a division's remaining balance in the pension reserve fund for one or more of the following purposes:
 - i. Additional contributions to the pension trust if such division's pension actuarial value of assets as of the most recent valuation date is less than one hundred fifteen percent (115%) of the division's pension actuarial accrued liability as of the same date;
 - ii. Additional contributions to the OPEB trust, if applicable to such division, if such division's OPEB actuarial value of assets as of the most recent valuation date is less than one hundred fifteen percent (115%) of the division's OPEB actuarial accrued liability as of the same date;
 - iii. Capital improvements to benefit such division; or
 - iv. Contributions to a self-insurance fund to benefit such division.

Motion to adopt the above Ordinance passes on a roll call vote of 7-0.

Upon a motion of Ald. Wilson, seconded by Ald. Myles, it was unanimously voted to receive the following 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 regarding an ORDINANCE APPROPRIATING \$740,000 FOR THE PLANNING, PERMITTING AND ENGINEERING OF INFRASTRUCTURE ACCESS IN THE OCCUM SECTION OF THE CITY AND AUTHORIZING THE ISSUE OF \$740,000 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. Wilson, seconded by Ald. Gould, it was unanimously voted to receive the following Letter of resignation of H. Kevin Harkins not wishing to renew his term with the Commission for Persons with Disabilities and thank him for his service.

Upon a motion of Ald. Gould, seconded by Ald. Myles, it was unanimously voted to receive the following Letter of resignation of Elanah Sherman not wishing to renew her term with the Commission for Persons with Disabilities and thank her for her service.

Upon a motion of Ald. Myles, seconded by Ald. Gould, it was unanimously voted to receive the following letter of resignation of Kyle Seitz from the Mohegan Park Improvement and Development Advisory Committee and thank him for his service.

CITY MANAGER'S REPORT

To: Mayor Nystrom and members of the City Council
From: John Salomone, City Manager
Subject: City Manager's Report
Date: September 7, 2021

On Monday, August 23rd, 2021, I issued an indoor mask mandate for the City of Norwich. I would have preferred a uniform statewide/regional approach per the request from the Southeastern Connecticut Council of Governments to the Governor. New London and Groton issued mandates and since Norwich still has a high infection rate with the numbers climbing, I issued a "Declaration of Emergency for the City of Norwich" which grants municipalities the ability to require mask or face coverings indoors regardless of vaccination status. The order is posted on the home page of the City website at www.norwichct.org.

Meetings attended included, State representatives and legislators, Southeastern Council of Governments (SCCOG), Region 4 Emergency support Plan, NCDC Board meeting, Harbor Management, NPU-City Coordination meeting, Fire Chiefs and several meetings on Storm Henri and remnants of Hurricane Ida. I met with Governor Lamont at the State Armory in the Business Park as he toured the state for storm damage. I attended the Vietnam Veterans Ceremony where Lieutenant Governor Susan Bysiewicz recognized our local veterans. I also held two informational sessions on August 17th and August 30th for public input on the American Rescue Plan.

The Emergency Operations center was opened for Storm Henri and Storm Ida. Storm Henri impact was less than forecasted. At the Peak of the storm approximately 3,000 NPU customer were without power and there were no known injuries or significant damage to report. Unfortunately, Norwich got more damage with the remnants of Ida. Norwich had a total of 7.5" of rain in less than a 9-hour period and caused major flooding and pooling around the City. Over the course of the storm, the fire service responded to more than 70 calls. There were no injuries reported and damage assessments are ongoing.

Comptroller Josh Pothier and I did a phone interview with a reporter from the Wall Street Journal on the City's proposed pension obligation bonds that will go to referendum in November. The article published September 4th, which explains the analysis, by our pension consultant Milliman, forecasts a savings of \$43 million in today's dollars over the next 30 years.

The agreement with Northeastern CT Council of Governments to manage the City's Animal Control Services became effective September 1st. This regional initiative will save city resources and future costs to the taxpayer.

My office has received notification from the State of Connecticut Department of Revenue Services of the 2021 Approved Neighborhood Assistance Act Programs. My assistant, Jacquie Barbarossa, has notified Norwich applicants via email. Businesses requesting a tax credit under the Neighborhood Assistance Act must complete form NAA-02 on the DRS website by October 1st, 2021. A list of all approved programs is available on the DRS website.

Upon a motion of President Pro Tem Bettencourt, seconded by Ald. DeLucia, on a roll call vote it was unanimously voted to move the two Old Business Resolutions to New Business Resolutions and allow Citizen Comments.

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 opened.

Kevin Brown, President of NCDC, talked about the Downtown Bond program and how it relates to the American Rescue Plan funding.

Jeff Blayman, 260 Hamilton Ave, talked about the code issues and the Downtown Bond Program relating to the American Rescue Plan funding.

Bob Buckley, spoke on funding incentives with the American Rescue Plan funding.

Brenda and Carlos Ventura, 15 Jewett City Rd, talked about working with NCDC's portion of funding through the American Rescue Plan funding to help their new business.

Beryl Fishbone, 19 Bliss Pl, talked about using the American Rescue Plan funding to be used for the Disc Golf Course and infrastructure.

Brian Kobylarz, 16 Hobart Ave, encouraged the Council to separate the American Rescue Plan funding in the new Resolution #4.

Shiela Hayes, 382 Laurel Hill Ave, thanked the City Manager and Council for holding additional workshops on the American Rescue Plan funding.

Ashon Avent, 56 St Regis Avenue, stated he was thankful for the American Rescue Plan funding and programs through NCDC.

Dayne Rugh, 67 East Town St, stated he enjoyed watching the American Rescue Plan funding being used.

Mayor Nystrom declared citizen comment closed.

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

WHEREAS, the City of Norwich owns an undeveloped parcel of land located on North Thames Street identified as map 101, block 1, lot 31/1, acquired in 2007 by Quit Claim Deed from the State of Connecticut which had become the owner of the same in connection with a road relocation, the Quit Claim Deed reserving to the State of Connecticut, its successors and assigns, a full and perpetual easement to slope under, over and across portions of the land conveyed; and

WHEREAS, said parcel of land consists of 0.27 acres and due to its size, shape, and location has no or limited potential use as a standalone piece of property; and

WHEREAS, the abutting property owner at 28 North Thames Street has offered to purchase the property for \$17,000, which the city assessor considers to be a fair price for the property, and said abutting property owner agrees to merge this parcel with its abutting parcel; and

WHEREAS, the Council of the City of Norwich finds it to be in the best interest of the City of Norwich to sell the property to the abutting owner for \$17,000 recognizing the fair market value of the property requires compliance with the provisions of Connecticut General Statute § 7-163e to include a public hearing with two notices by publication and a posting of sign on the property concerning the conduct of a public hearing prior to the sale.

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

- 1) a public hearing be scheduled on this resolution to be held on September 7, 2021 and that City Manager John Salomone be and hereby is authorized to arrange through the city clerk for the publication of two notices required at intervals of not less than two days, the first not more than fifteen days or less than ten days and the last not less than two days before the date set for such public hearing, and through the Department of Public Works for the posting of a sign conspicuously set on the real property that is the subject of the public hearing providing information relative to the public hearing including the date, time, and location of the same; and
- 2) the council shall defer further action on this resolution until completion of said public hearing; and
- 3) following the completion of the public hearing the council may further act on this resolution as it deems appropriate and, by adopting the same without substantial amendment, shall authorize and direct City Manager John Salomone to accept on behalf of the City of Norwich the offer of \$17,000 with the merger of this parcel with the abutting property and arrange to convey the same to the proposed purchaser, DI Enterprises, LLC, for \$17,000 by quit claim deed and to execute such deed and such other documents, agreements, memorandums of understanding, and correspondence as may be necessary to convey the property and complete the proposed transaction.

Upon a motion of Ald. Myles, seconded by Ald. Wilson, on a roll call vote it was unanimously voted to adopt the following resolution introduced by City Manager Salomone.

WHEREAS, the Council of the City of Norwich, by resolution adopted March 16, 2020, authorized the conveyance of what is referred to as the Water Department Building located at 18 Falls Avenue to Mary-Anna Holdings, LLC; and

WHEREAS, said property was conveyed to Mary-Anna Holdings, LLC on June 29, 2020 by a deed recorded at volume 3185 page 143; and

WHEREAS, by a deed recorded on March 29, 2021 at volume 3241 page 300 Mary-Anna Holdings, LLC combined 18 Falls Avenue with adjoining property known as 28 Falls Avenue into one single parcel; and

WHEREAS, Mary-Anna Holdings LLC as owner of the property now identified as 28 Falls Avenue (aka 18 and 28 Falls Avenue) filed applications SP#21-01 and CAM#21-02 with the Commission on the City Plan requesting a Special Permit to make substantial improvements to the Building which is located in a FEMA designated Special Flood Hazard Area to convert the same for retail sales and the service of boats; and

WHEREAS, its proposed exterior improvements included the installation of two concrete ramps, a proposed gravel parking lot, two handicapped parking spaces, a concrete walkway, guardrails and a dumpster pad with dumpster; and

WHEREAS, the Commission on the City Plan at its June 15, 2021 meeting approved SP#21-01 with conditions including:

1. That the paved handicapped parking spaces in the larger gravel parking area located to the north of the building be built out as part of this approval; and
2. That the applicant cooperate with the Public Works Department in the installation of proposed improvements on the small existing parking area on the city's property located to the south of the Building and
3. That documents for the proposed Parking and Access Agreement and Temporary Construction and Maintenance Easement be submitted to the City for approval for review and comment by the city attorney and Director of Public Works and
4. Noting that the City Council may need to approve any easement prior to the filing of mylars and legal documents; and

WHEREAS, Mary-Anna Holdings LLC; has submitted the attached proposed Temporary Construction and Maintenance Easement; and has agreed to revise its plan to minimize any disturbance to the existing public access area on property owned by the City located to the south of the Building but requests this Easement also include language for a perpetual, non-exclusive easement over this area for access to the Building and property;

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 enter into an approved a Construction and Maintenance Agreement which may include a perpetual, non-exclusive easement over the existing easement area or make other arrangements regarding access to the Building providing either approach is satisfactory to him, the Corporation Counsel, and the Director of Public Works.

EXHIBIT A

Please return to:
 Mary-Anna Holdings, LLC
 14 Falls Avenue
 Norwich, CT 06360

TEMPORARY CONSTRUCTION AND MAINTENANCE EASEMENT

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

KNOW YE, THAT THE CITY OF NORWICH, a municipal corporation, having its territorial limits in the City of Norwich, County of New London and State of Connecticut (hereafter referred to as the "Grantor") for consideration of One (\$1.00) Dollar and other good and valuable consideration, received to its full satisfaction of **MARY-ANNA HOLDINGS, LLC**, a Connecticut limited liability company having office and place of business located in the City of Norwich, County of New London and State of Connecticut (hereafter referred to as the "Grantee"), does, for itself and its successors and assigns, hereby remise, release, convey, sell and transfer by these presents to the Grantee the following Easement:

A Temporary Construction Easement (the "Temporary Construction Easement") located on the Grantor's lands as shown as "Proposed Temporary Construction and Maintenance Easement to be Acquired in favor of Mary-Anna Holdings, LLC (4,955 SF+/- or 0.11 Acre+/-)" on a plan entitled "GENERAL LOCATION SURVEY PLAN DEPICTING PROPOSED PARKING PREPARED FOR MARY-ANNA HOLDINGS, LLC 28 FALLS AVENUE NORWICH, CONNECTICUT SCALE 1"=20' DATE: APRIL 2021 JOB NO: C1013 SHEET NO: 1 OF 2 REVISION 1: 5/18/21 – MISC DESIGN CHANGES PER REVIEW COMMENTS REVISION 2: 5/24/21 – UTILITIES IN FALLS AVENUE PER NPU REVISION 3: 6/14/21 – REVISED TO ADDRESS REVIEW COMMENTS REVISION 4: 7/7/21 – REVISED TO ADDRESS CONDITIONS OF APPROVAL" PREPARED BY DGT ASSOCIATES 148 ROUTE 2 PRESTON, CONNECTICUT 06365 (860) 889-1999 SUSAN F. MATTERN, PLS 15157, which plan is recorded in the Norwich Land Records (the "Easement Area"), for the benefit of Grantee's adjacent real property located at 28 Falls Avenue as shown on said Plan (the "Benefitted Parcel") in order to facilitate the Grantee's construction and renovation of improvements on the Benefitted Parcel (the "Project"). The Easement Area is more particularly bounded and described on Schedule A attached hereto and made a part hereof.

It is specifically agreed and acknowledged by the parties that no permanent structures or improvements related to the Project, shall be installed on any portion of the Easement Area.

This Temporary Construction Easement is granted in accordance with, and subject to, the following terms, conditions, requirements, and limitations:

- 1) The Temporary Construction Easement is granted for vehicular and pedestrian ingress and egress to and from the Easement Area and for Grantee's use to do all things reasonably necessary to construct and install the Project including, but not limited to, the transport, stockpiling and storage of construction materials, soil, equipment and vehicles. Upon expiration of the Temporary Construction Easement, the Grantee, at its sole cost and expense, shall restore the Easement Area to substantially the same condition it was in prior to Grantee's use. Grantee shall not leave any rubbish or debris on or about the Easement Area.

EXHIBIT A

- 2) The term of this Agreement shall begin upon the date of mutual execution hereof and shall expire (a) on the second anniversary of the date of mutual execution of this Easement or (b) upon completion of the Project, whichever event shall first occur. Provided, however, that the Grantee shall have a perpetual easement over the Easement Area to maintain, repair and replace improvements on the Benefitted Parcel (the "Maintenance Easement"), on the same terms and conditions as set forth herein.
- 3) Upon termination of this Agreement, all covenants in this instrument are released (other than Grantee's restoration obligations, Grantee's rights in and to the Maintenance Easement set forth in Paragraph 2, above, and Grantee's and Grantor's indemnification obligations set forth herein, and the cost recovery provision set forth in Paragraph 14, below, all of which shall survive the expiration or termination of this Agreement) and the Easement Area shall be considered free and clear of any restriction or any right or privilege attaching to the grant of the Temporary Construction Easement set forth in this Agreement.
- 4) The Temporary Construction Easement shall allow the Grantee, and its contractors, consultants, subcontractors, subconsultants, materialmen, suppliers, workers, successors, and assigns, to use the Easement Area during the construction of the Project. Grantee shall use the Easement Area solely for the purposes necessary and incident to completion of the Project and for no other purpose. In no event may any use of the Easement Area by the Grantee, its contractors, consultants, subcontractors, subconsultants, materialmen, suppliers, workers, successors, and/or assigns, violate any applicable law, rule or regulation relating to the Easement Area, or materially impact Grantor's normal use of its adjacent property. Specifically, but in way in limitation of the foregoing, the Grantee acknowledges that the Grantor, for itself and its agents, employees, licensees, invitees and tenants, shall retain all rights of access over the existing roads located on the Easement Area, and Grantee agrees to keep all such areas free and clear of materials, equipment and debris at all times during the duration of this temporary easement.
- 5) The Grantee shall indemnify and hold the Grantor harmless against any claim of liability or loss from personal injury or property damage, including, but not limited to, costs of environmental remediation, resulting from or arising out of or related to the completion of the Project by the Grantee, its contractors, consultants, subcontractors, subconsultants, materialmen, suppliers, workers, successors, and assigns thereof, except to the extent such claims or damages may be due to or caused by the negligence or willful misconduct of Grantor or its employees, contractors or agents. The Grantor shall indemnify and hold the Grantee harmless against any claim of liability or loss from personal injury or property damages to the extent such claims or damages may be due to or caused by the negligence or willful misconduct of Grantor or its employees, contractors or agents.
- 6) Grantee shall ensure that any and all contractors, engineers, employees or others who perform any work in connection with the Project upon the Temporary Construction Easement shall have adequate liability and workers' compensation insurance and shall ensure that all payments are made in such a manner as to prevent the filing of any mechanics' or materialmen's liens against the Grantor's property, and shall indemnify and hold harmless Grantor, its successors and assigns, against any losses claims or damages, in the event of the filing of any mechanic's liens arising from construction of the Project.
- 7) Grantor covenants and agrees that it is the fee owner of the Easement Area and that it has the

EXHIBIT A

authority to grant this Temporary Construction Easement to the Grantee.

8) Except as hereinafter stated, Grantor warrants that no building, structure, or other above or below ground obstruction that may interfere with the purposes for which this Temporary Construction Easement is granted may be placed, erected, installed or permitted upon the Easement Area during the term hereof except for existing improvements, if any.

9) Grantor reserves all rights attendant to its ownership of the Easement Area, including but not limited to the use and enjoyment of the Easement Area for all purposes not inconsistent with the terms and conditions of this Agreement.

10) All notices provided for herein shall be in writing and shall be personally delivered or mailed by registered or certified United States mail, postage prepaid, return receipt requested, to the parties at the addresses given below or at such other address that may be specified by written notice in accordance with this paragraph:

If to Grantor: City of Norwich
100 Broadway
Norwich, CT 06360

If to Grantee: Mary-Anna Holdings, LLC
14 Falls Avenue
Norwich, CT 06360

11) This Agreement represents the entire agreement between the Grantor and the Grantee as relates to the Temporary Construction Easement. Any amendments to this Agreement must be in writing and signed by both the Grantor and the Grantee.

12) Each and every term, condition, or covenant of this Agreement is subject to and shall be construed in accordance with the provisions of the laws of the State of Connecticut.

13) The benefits and burdens of the Temporary Construction Easement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

14) In the event of litigation between the parties in connection with this Agreement, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs from the non-prevailing party. The obligation in the immediately preceding sentence shall survive any termination or expiration of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first set forth above.

[SIGNATURE PAGES TO FOLLOW]

EXHIBIT A

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal this ____ day of September 2021.

GRANTOR:
CITY OF NORWICH

By: _____
John L. Salomone
Its City Manager, duly authorized

Signed, sealed and delivered in the presence of:

Witness

Witness

STATE OF CONNECTICUT

ss: Norwich

COUNTY OF NEW LONDON

On this ____ day of September 2021, before me, the undersigned officer, personally appeared John L. Salomone, City Manager of the City of Norwich, who acknowledged himself to be the person whose name is subscribed to the within instrument and acknowledged that he, being duly authorized to do so, executed the same for the purposes therein contained as said Grantor's free act and deed.

IN WITNESS WHEREOF, I hereunto set my hand and the official seal.

Commissioner of the Superior Court
Notary Public-Seal Required
My Commission Expires

EXHIBIT A

IN WITNESS WHEREOF, the Grantee has hereunto set its hand and seal this ____ day of September 2021.

GRANTEE:
MARY-ANNA HOLDINGS, LLC

By: _____
Richard A. Thayer, Jr.
Its Member, duly authorized

Signed, sealed and delivered in the presence of:

Witness

Witness

STATE OF CONNECTICUT

ss: Norwich

COUNTY OF NEW LONDON

On this ____ day of September 2021, before me, the undersigned officer, personally appeared Richard A. Thayer, Jr., Member of Mary-Anna Holdings, LLC, who acknowledged himself to be the person whose name is subscribed to the within instrument and acknowledged that he, being duly authorized to do so, executed the same for the purposes therein contained as said Grantee's free act and deed.

IN WITNESS WHEREOF, I hereunto set my hand and the official seal.

Commissioner of the Superior Court
Notary Public-Seal Required
My Commission Expires

EXHIBIT A

SCHEDULE A

A certain piece or parcel of land situate off the southwesterly side of Falls Avenue in the City of Norwich, County of New London and State of Connecticut is more particularly described as follows:

Beginning at a point, being the southeasterly corner of land now or formerly Mary-Anna Holdings, LLC, also known as Lot 64 (formerly known as 18 Falls Avenue) and the westerly corner of the herein described parcel,

Thence proceeding N 41°51'38" W a distance of 122.74 feet to a point, the last described course being bound northwesterly by said land of Mary-Anna Holdings, LLC,

Thence proceeding N 48°27'50" E a distance of 25.50 feet to a point,

Thence proceeding S 35°51'08" E a distance of 173.32 feet to a point,

Thence proceeding S 49°35'38" W a distance of 51.88 feet to a point,

Thence proceeding N 38°28'11" W a distance of 48.54 feet to a point in the southerly property line of said land of Mary-Anna Holdings, LLC,

Thence proceeding N 48°08'22" E a distance of 41.61 feet to the point and place of beginning. The last described course being bound northerly by said land of Mary-Anna Holdings, LLC.

Containing 4,955 square feet or 0.11 acre of land, more or less.

Being shown as "PROPOSED PARKING AND ACCESS EASEMENT AND TEMPORARY CONTRUCTION AND MAINTENANCE EASEMENT TO BE ACQUIRED IN FAVOR OF MARY-ANNA HOLDINGS, LLC" on a plan entitled, "GENERAL LOCATION SURVEY PLAN DEPICTING PROPOSED PARKING PREPARED FOR MARY-ANNA HOLDINGS, LLC 28 FALLS AVENUE NORWICH, CONNECTICUT SCALE: 1"=20' DATE: APRIL 2021 JOB NO: C1013 SHEET NO: 1 OF 2" REVISION 1: 5/18/21 – MISC DESIGN CHANGES PER REVIEW COMMENTS REVISION 2: 5/24/21 – UTILITIES IN FALLS AVENUE PER NPU REVISION 3: 6/14/21 – REVISED TO ADDRESS REVIEW COMMENTS REVISION 4: 7/7/21 – REVISED TO ADDRESS CONDITIONS OF APPROVAL", PREPARED BY DGT ASSOCIATES 148 ROUTE 2 PRESTON, CONNECTICUT 06365 (860)889-1999 SUSAN F. MATTERN, PLS 15157.

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

Upon a motion of President Pro Tem Bettencourt, seconded by Ald. Nash, on a roll call vote it was unanimously voted to amend the following resolution to remove in paragraph #2 “an amalgamation” and add “all”, and in paragraph #5 remove “City Council” and add “the Public Safety Committee”.

Upon a motion of Ald. Gould, seconded by Ald. Nash, on a roll call vote it was voted to further amend the following resolution to remove in paragraph #5 “Cancellation of meetings will be expeditiously reported to the City Council via email by the City Manager stating the reason for cancelation.”

On a roll call vote of 3-4 the above amendment fails with President Pro Tem Bettencourt, Ald. Wilson, Myles and DeLucia voting in opposition.

WHEREAS, the City of Norwich has received an analysis of the Fire/EMS Services provided in the City of Norwich prepared by the McGrath Consulting Group, Inc., with emphasis on the services provided by the City of Norwich Fire Department and the five (5) volunteer fire departments; and

WHEREAS, the report makes recommendations with respect to all of the six (6) fire departments with a goal of supporting and improving services provided by the departments; and

WHEREAS, the report also recommends the establishment of a position of a fire commissioner which position will not be established this year for budgetary reasons and may in the future be subject to budgetary issues; and

WHEREAS, the Council finds that the services provided by the fire departments in the City of Norwich are supported and improved by regular meetings among the chiefs of the fire departments.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that City Manager John Salomone be and hereby is directed to arrange monthly meetings to include himself, the chiefs of the six (6) fire departments or their designees, and such other persons as he believes would be helpful to such meetings. Cancellation of meetings will be expeditiously reported to the Public Safety Committee via email by the City Manager stating the reason for cancelation. That notice will be considered complying with the directions in this resolution. It is recommended that elected officials not participate in these meetings in order to facilitate open discussions regarding fire service-related matters.

BE IT ALSO RESOLVED, the goals will be implementing changes in the fire service described in the McGrath Consulting Group, Inc. analysis to provide the fastest, safest, and most efficient delivery of services. Initial goals will be to implement changes to the dispatch and radio issues identified previously. Subsequent priority items will be identified by the City Manager and/or the Public Safety Committee. Monthly reports shall be provided to the City Council by the City Manager regarding meetings held, agenda items discussed, and action plans developed in the implementation of the above stated goal and future priorities.

On a roll call vote of 4-3 with Mayor Nystrom, Ald. Nash and Gould voting in opposition the above amended resolution passed.

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

WHEREAS, under the American Rescue Plan funds have been and are to be delivered next year from the federal government to state, local, territorial, and tribal governments to respond to the COVID-19 emergency and to bring back jobs and funding objectives; and

WHEREAS, these funds must be obligated by December 31, 2024 and can be used to cover costs associated with:

- Responding to the negative impacts of the COVID pandemic, including assistance to households, small businesses and non-profits as well as aide to affected industries such as tourism, travel, and hospitality;
- Providing government services previously cut due to pandemic-related revenue shortfalls; and
- Making needed investments in water, sewer, or broadband infrastructure; and

WHEREAS, in 2021 the City of Norwich received the sum of \$14,419,364.22 in connection with first year of the program and anticipates receiving a similar sum in the second year of the program; and

WHEREAS, the Council of the City of Norwich finds that the following initiatives are consistent with the plan objectives of the American Rescue Plan; can be obligated within the time allotted; are within the uses permitted under the appropriate categories of the American Rescue Plan; and that it will be in the best interest of the City of Norwich to appropriate funds as estimated and listed herein by project from the 2021 allocation provided to the City of Norwich:

- | | |
|---|-------------|
| 1) Uncas Leap Heritage Park | \$2,100,000 |
| Funding for Design and Installation of Site Amenities to Complete the Master Plan Concept including: | |
| <ul style="list-style-type: none"> ➤ Completion of the granite mill ruin ➤ Interpretive signage & timeline exhibit ➤ Plaza, fencing, lighting, benches & flagpoles ➤ Restroom facility ➤ Trails & landscaping improvement | |
| 2) Browning Road Water Main Extension | \$800,000 |
| Water Infrastructure Improvement | |
| 3) Norwich Human Services | \$2,230,000 |
| To be used for: | |
| <ul style="list-style-type: none"> ➤ Basic need support to Norwich families to include rent mortgage and utility assistance ➤ Health improvements to disenfranchised neighborhoods ➤ Mental health system improvements from the effect of COVID ➤ Employment support – apprenticeships & job training ➤ Recreation assistance – Armstrong tennis courts, Jenkins Park improvements, Greeneville playground & splashpad | |

As proposed the sum is to be allocated as follows:

- \$480,000 to Recreation Department
- \$889,000 basic need support to Norwich families
- \$175,000 employment support
- \$186,000 staffing needs
- \$250,000 health improvements to disenfranchised neighborhoods
- \$250,000 mental health system improvements

4) Norwich Community Development Corporation \$2,000,000

To support code correction & Vanilla box program recognizing that:

- Code correction will reduce the risks associated with renovating long-term vacant spaces
- By design, the Vanilla box program will help building owners improve space that is not tenant ready creating habitable spaces of particular uses
- Will enable building owners to apply for funds to fix buildings creating a positive return on investment and encourage businesses to occupy space in the downtown area.

5) Arts & Culture \$500,000

Through a Partnership with Southeastern CT Cultural Coalition

- Utilize the arts & cultural assets to provide positive economic impact for the City of Norwich to include:
- Developing arts & culture-based beautification projects
- Coordinate and promote arts, culture, history and heritage events and activities
- Manager perception of Norwich

6) Rehabilitate City Acquired Property to livable or useable condition prior to sale \$1,200,000

- Provide economic stabilization for Norwich households and local businesses
- Facilitate the entering into of a partnership with an appropriate entity(ies) for Habitat & Community Development

7) Norwich Police Department \$300,000

To be used for law enforcement including reducing gun violence.

8) Otis Library \$50,000

To expand services.

9) Planning and Neighborhood Services Department \$89,000

To hire an Assistant Zoning & Blight Enforcement Officer

10) Community Development neighborhood revitalization programs \$500,000

Total Appropriation \$9,769,000

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that, the appropriation and use of funds described herein by estimated dollar amount and purpose, are found to be consistent with planning objectives of the American Rescue Plan and, when expended as described herein and for purposes listed, will be in the best interest of the City of Norwich whereby said appropriation and expenditures for the purposes listed having so been found, are approved by the Council of the City of Norwich with the provision that they be obligated by December 31, 2024.

Ald. Wilson provided an amended copy below,

WHEREAS, under the American Rescue Plan funds have been and are to be delivered next year from the federal government to state, local, territorial, and tribal governments to respond to the COVID-19 emergency and to bring back jobs and funding objectives; and

WHEREAS, these funds must be obligated by December 31, 2024 and can be used to cover costs associated with:

- Responding to the negative impacts of the COVID pandemic, including assistance to households, small businesses and non-profits as well as aide to affected industries such as tourism, travel, and hospitality;
- Providing government services previously cut due to pandemic-related revenue shortfalls; and
- Making needed investments in water, sewer, or broadband infrastructure; and

WHEREAS, in 2021 the City of Norwich received the sum of \$14,419,364.22 in connection with first year of the program and anticipates receiving a similar sum in the second year of the program; and

WHEREAS, the Council of the City of Norwich finds that the following initiatives are consistent with the plan objectives of the American Rescue Plan; can be obligated within the time allotted; are within the uses permitted under the appropriate categories of the American Rescue Plan; and that it will be in the best interest of the City of Norwich to appropriate funds as estimated and listed herein by project from the 2021 allocation provided to the City of Norwich:

1) Uncas Leap Heritage Park \$1,000,000
(Can come Back next round for remaining funding once RFP/RFQ are done)

Funding for Design and Installation of Site Amenities to Complete the Master Plan Concept including:

- Completion of the granite mill ruin
- Interpretive signage & timeline exhibit
- Plaza, fencing, lighting, benches & flagpoles
- Restroom facility
- Trails & landscaping improvement

2) Browning Road Water Main Extension \$800,000

Water Infrastructure Improvement

3) Norwich Human Services \$2,230,000

To be used for:

- Basic need support to Norwich families to include rent mortgage and utility assistance
- Health improvements to disenfranchised neighborhoods

- Mental health system improvements from the effect of COVID
- Employment support – apprenticeships & job training
- Recreation assistance – Armstrong tennis courts, Jenkins Park improvements, Greeneville playground & splashpad

As proposed the sum is to be allocated as follows:

- \$480,000 to Recreation Department
- \$889,000 basic need support to Norwich families
- \$175,000 employment support
- \$186,000 staffing needs
- \$250,000 health improvements to disenfranchised neighborhoods
- \$250,000 mental health system improvements

4) Norwich Community Development Corporation \$2,000,000

To support code correction & Vanilla box program recognizing that:

- Code correction will reduce the risks associated with renovating long-term vacant spaces
- By design, the Vanilla box program will help building owners improve space that is not tenant ready creating habitable spaces of particular uses
- Will enable building owners to apply for funds to fix buildings creating a positive return on investment and encourage businesses to occupy space in the downtown area.
- **A \$300,000 limit on any allocation of fund for any project.**
- **\$400,000 allocated to Small Businesses, Micro Enterprises, and Home-based Businesses.**

5) Arts & Culture \$500,000

Through a Partnership with Southeastern CT Cultural Coalition

- Utilize the arts & cultural assets to provide positive economic impact for the City of Norwich to include:
- Developing arts & culture-based beautification projects
- Coordinate and promote arts, culture, history and heritage events and activities
- Manager perception of Norwich

6) Rehabilitate City Acquired Property to livable or useable condition prior to sale \$1,200,000

- Provide economic stabilization for Norwich households and local businesses
- Facilitate the entering into of a partnership with an appropriate entity(ies) for Habitat & Community Development

Request the City Manager to apply the following criteria with Habitat for Humanity:

- **Houses go to families residing in Norwich.**
- **40% of work given to local contractors.**
- **20% of work given to minority contractors**

7) Norwich Police Department \$300,000

- To be used for law enforcement including reducing gun violence
- **Serve as ambassadors in neighborhoods and community centers (after hours in schools).**
-

8) Otis Library	\$50,000
To expand services.	
9) Planning and Neighborhood Services Department	\$89,000
To hire an Assistant Zoning & Blight Enforcement Officer	
10) Community Development neighborhood revitalization programs	\$500,000
<ul style="list-style-type: none"> ➤ Engage established Neighborhood Revitalization Groups to determine priority of neighborhoods. ➤ Host meeting with various neighborhoods to determine needs of area. ➤ Focus on the beautification and upgrading of infrastructure in neighborhoods. 	
11) Uncas Health District	\$150,000
<ul style="list-style-type: none"> ➤ Focus on the health and safety of residents of the City of Norwich during COVID-19 Pandemic. ➤ Supporting Public Health of the City of Norwich. 	
12) Recreation Department: Schools Serving as Community Centers	\$800,000
<ul style="list-style-type: none"> ➤ Focus on lost recreational and mental health opportunities for the youth during pandemic. ➤ Expanding recreational program needs for the community. ➤ Expand available space for non-profit organizations and vendors to partner and provide opportunities for families. ➤ \$85,000 for 2-3 program assistants. 	
13) Mohegan Park Improvements	\$200,000
<ul style="list-style-type: none"> ➤ \$120,000 for playground (Toddler playground) ➤ \$50,000 for fitness park equipment ➤ \$30,000 expanding disc golf course (9 additional holes). 	
14) Audio Visual Upgrade in City Council Chamber/ Room 335	\$300,000
<ul style="list-style-type: none"> ➤ Improve meeting accessibility for the public ➤ Modernize methods for boards, commissions, and committees may meet and engage public. 	
Total Appropriation	\$10,219,000

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that, the appropriation and use of funds described herein by estimated dollar amount and purpose, are found to be consistent with planning objectives of the American Rescue Plan and, when expended as described herein and for purposes listed, will be in the best interest of the City of Norwich whereby said appropriation and expenditures for the purposes listed having so been found, are approved by the Council of the City of Norwich with the provision that they be obligated by December 31, 2024 **and that quarterly reports on project/ program progress be submitted to the city council.**

Ald. Wilson asked to divide the question.

WHEREAS, under the American Rescue Plan funds have been and are to be delivered next year from the federal government to state, local, territorial, and tribal governments to respond to the COVID-19 emergency and to bring back jobs and funding objectives; and

WHEREAS, these funds must be obligated by December 31, 2024 and can be used to cover costs associated with:

- Responding to the negative impacts of the COVID pandemic, including assistance to households, small businesses and non-profits as well as aide to affected industries such as tourism, travel, and hospitality;
- Providing government services previously cut due to pandemic-related revenue shortfalls; and
- Making needed investments in water, sewer, or broadband infrastructure; and

WHEREAS, in 2021 the City of Norwich received the sum of \$14,419,364.22 in connection with first year of the program and anticipates receiving a similar sum in the second year of the program; and

WHEREAS, the Council of the City of Norwich finds that the following initiatives are consistent with the plan objectives of the American Rescue Plan; can be obligated within the time allotted; are within the uses permitted under the appropriate categories of the American Rescue Plan; and that it will be in the best interest of the City of Norwich to appropriate funds as estimated and listed herein by project from the 2021 allocation provided to the City of Norwich:

Upon a motion of Ald. Wilson, seconded by Ald. Myles, it was voted to put the following #1 on the floor.

1) Uncas Leap Heritage Park \$1,000,000
(Can come back next round for remaining funding once RFP/RFQ are done)

Funding for Design and Installation of Site Amenities to Complete the Master Plan Concept including:

- Completion of the granite mill ruin
- Interpretive signage & timeline exhibit
- Plaza, fencing, lighting, benches & flagpoles
- Restroom facility
- Trails & landscaping improvement

On a roll call vote of 4-3 with Mayor Nystrom, Ald. Nash and Gould voting in opposition the above #1 passes.

Upon a motion of Ald. Wilson, seconded by Ald. Nash, it was voted to put the following #2 on the floor.

2) Browning Road Water Main Extension \$800,000

Water Infrastructure Improvement

On a roll call vote of 7-0 the above #2 passes unanimously.

Upon a motion of Ald. Nash, seconded by Ald. Gould, it was voted to put the following #3 on the floor.

3) Norwich Human Services \$2,230,000

To be used for:

- Basic need support to Norwich families to include rent mortgage and utility assistance
- Health improvements to disenfranchised neighborhoods
- Mental health system improvements from the effect of COVID
- Employment support – apprenticeships & job training

- Recreation assistance – Armstrong tennis courts, Jenkins Park improvements, Greeneville playground & splashpad

As proposed the sum is to be allocated as follows:

- \$480,000 to Recreation Department
- \$889,000 basic need support to Norwich families
- \$175,000 employment support
- \$186,000 staffing needs
- \$250,000 health improvements to disenfranchised neighborhoods
- \$250,000 mental health system improvements

On a roll call vote of 7-0 the above #3 passes unanimously.

Upon a motion of Ald. Nash, seconded by Ald. Myles, it was voted to put the following #4 on the floor.

Upon a motion of President Pro Tem Bettencourt, seconded by Ald. Wilson, it was voted to amend the following #4 to add to the fifth bullet Small Businesses “(10 or less employees),” and Micro Enterprises “(5 or less employees),”

On a roll call vote of 4-3 with Mayor Nystrom, Ald. Nash and Gould voting in opposition the above amendment on #4 passes.

4) Norwich Community Development Corporation \$2,000,000

To support code correction & Vanilla box program recognizing that:

- Code correction will reduce the risks associated with renovating long-term vacant spaces
- By design, the Vanilla box program will help building owners improve space that is not tenant ready creating habitable spaces of particular uses
- Will enable building owners to apply for funds to fix buildings creating a positive return on investment and encourage businesses to occupy space in the downtown area.
- A \$300,000 limit on any allocation of fund for any project.
- \$400,000 allocated to Small Businesses (10 or less employees), Micro Enterprises (5 or less employees), and Home-based Businesses.

On a roll call vote of 4-3 with Mayor Nystrom, Ald. Nash and Gould voting in opposition the above #4 passes.

Upon a motion of Ald. Nash, seconded by Ald. Wilson, it was voted to put the following #5 on the floor.

Mayor Nystrom called for a 3-4 minute recess at 10:50 pm, we resumed at 10:53 pm.

5) Arts & Culture \$500,000

Through a Partnership with Southeastern CT Cultural Coalition

- Utilize the arts & cultural assets to provide positive economic impact for the City of Norwich to include:
 - Developing arts & culture-based beautification projects
 - Coordinate and promote arts, culture, history and heritage events and activities
 - Manager perception of Norwich

On a roll call vote of 7-0 the above #5 passes unanimously.

Upon a motion of Ald. Wilson, seconded by Ald. Nash, it was voted to put the following #6 on the floor.

6) Rehabilitate City Acquired Property to livable or useable condition prior to sale **\$1,200,000**

- Provide economic stabilization for Norwich households and local businesses
- Facilitate the entering into of a partnership with an appropriate entity(ies) for Habitat & Community Development

Request the City Manager to apply the following criteria with Habitat for Humanity:

- Houses go to families residing in Norwich.
- 40% of work given to local contractors.
- 20% of work given to minority contractors

On a roll call vote of 7-0 the above #6 passes unanimously.

Upon a motion of Ald. Nash, seconded by Ald. Wilson, it was voted to put the following #7 on the floor.

Upon a motion of Ald. Wilson, seconded by Ald. Myles, it was voted to amend the following to remove bullet #2 “Serve as ambassadors in neighborhoods and community centers (after hours in schools).”

7) Norwich Police Department **\$300,000**

- To be used for law enforcement including reducing gun violence.

On a roll call vote of 7-0 the above #7 passes unanimously.

Upon a motion of Ald. Myles, seconded by Ald. Nash, it was voted to put the following #8 on the floor.

8) Otis Library **\$50,000**

- To expand services.

On a roll call vote of 7-0 the above #8 passes unanimously.

Upon a motion of Ald. Myles, seconded by Ald. Nash, it was voted to put the following #9 on the floor.

9) Planning and Neighborhood Services Department **\$89,000**

- To hire an Assistant Zoning & Blight Enforcement Officer

On a roll call vote of 7-0 the above #9 passes unanimously.

Upon a motion of Ald. Nash, seconded by President Pro Tem Bettencourt, it was voted to put the following #10 on the floor.

10) Community Development neighborhood revitalization programs \$500,000

- Engage established Neighborhood Revitalization Groups to determine priority of neighborhoods.
- Host meeting with various neighborhoods to determine needs of area.
- Focus on the beautification and upgrading of infrastructure in neighborhoods.

On a roll call vote of 7-0 the above #10 passes unanimously.

Upon a motion of Ald. Nash, seconded by Ald. Gould, it was voted to put the following #11 on the floor.

11) Uncas Health District \$150,000

- Focus on the health and safety of residents of the City of Norwich during COVID-19 Pandemic.
- Supporting Public Health of the City of Norwich.

On a roll call vote of 7-0 the above #11 passes unanimously.

Upon a motion of Ald. Wilson, seconded by Ald. Nash, it was voted to put the following #12 on the floor.

12) Recreation Department: Schools Serving as Community Centers \$800,000

- Focus on lost recreational and mental health opportunities for the youth during pandemic.
- Expanding recreational program needs for the community.
- Expand available space for non-profit organizations and vendors to partner and provide opportunities for families.
- \$85,000 for 2-3 program assistants.

On a roll call vote of 7-0 the above #12 passes unanimously.

Upon a motion of Ald. Gould, seconded by Ald. Myles, it was voted to put the following #13 on the floor.

Upon a motion of Ald. Wilson, seconded by Ald. Nash, it was voted to amend the following to remove on bullet #3 “(9 additional holes)”

13) Mohegan Park Improvements \$200,000

- \$120,000 for playground (Toddler playground)
- \$50,000 for fitness park equipment
- \$30,000 expanding disc golf course

On a roll call vote of 7-0 the above #13 passes unanimously.

Upon a motion of Ald. Myles, seconded by Ald. Nash, it was voted to put the following #14 on the floor.

14) Audio Visual Upgrade in City Council Chamber/ Room 335 \$300,000

- Improve meeting accessibility for the public
- Modernize methods for boards, commissions, and committees may meet and engage public.

On a roll call vote of 7-0 the above #14 passes unanimously.

Upon a motion of Ald. Wilson, seconded by Ald. Nash, it was voted to put the following #15 on the floor.

Total Appropriation

\$10,219,000

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH, that, the appropriation and use of funds described herein by estimated dollar amount and purpose, are found to be consistent with planning objectives of the American Rescue Plan and, when expended as described herein and for purposes listed, will be in the best interest of the City of Norwich whereby said appropriation and expenditures for the purposes listed having so been found, are approved by the Council of the City of Norwich with the provision that they be obligated by December 31, 2024 and that quarterly reports on project/ program progress be submitted to the city council.

On a roll call vote of 7-0 the above #15 passes unanimously.

The above resolution passes as amended.

Upon a motion of Ald. DeLucia, seconded by Ald. Myles, it was unanimously voted to waive the full reading, send a referral to the Commission on the City Plan and set a public hearing on November 15, 2021 at 7:30 pm for the second reading and action for the following ordinance introduced by Mayor Nystrom and Ald. Gould.

AN ORDINANCE REDUCING SECTIONS OF THE NORWICH ZONING REGULATIONS INCLUDING SECTIONS 1.3.2.2.2, 1.3.2.3.1, 1.4.2.2.1, 1.4.2.3.1, 1.5.2.2.1, 1.5.2.3.2, 2.3.2.2.10, 2.3.2.3.2., 2.4.2.2.21, 2.4.2.3.2, 2.5.2.2.16, 2.5.2.3.2, 2.6.2.2.16, 2.6.2.3.1, 2.7.2.2.8, 2.7.2.3.2, 2.9.2.4.7, 2.9.2.5.1, 2.10.3.2.13, 2.10.3.3.3, 2.11.2.2.5, 2.11.2.3.1, 5.1.3.1.1 TO REDUCE THE SQUARE FOOTAGE FOR NEW CONSTRUCTION OF BUILDINGS AND ADDITIONS ALLOWED BY ZONING PERMIT APPROVAL AND AMENDING THE SQUARE FOOTAGE FOR WHICH REQUIRED BICYCLE PARKING FACILITIES SHALL BE PROVIDED

WHEREAS, the City of Norwich has regulations that allows the Zoning Enforcement Officer to issue a zoning permit for new construction up to 10,000 square feet; and

WHEREAS, the Commission on the City Plan has expressed concerns that the square footage is too large to be handled administratively by zoning permit and should be reduced to 5,000 square feet; and

WHEREAS, the Commission on the City Plan also recommends that the requirement for bicycle parking facilities should also be amended accordingly to correspond to the building size reduction to 5,000 square feet for zoning permit approval;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Norwich, that the following sections of the Zoning Regulations be amended to reduce the square footage from 10,000 to 5,000 square feet for new construction of buildings and additions allowed by zoning permit approval and for which required bicycle parking facilities be provided.

1.3 Residence Districts, R-80 and R-40

1.3.2.2.2 New construction of buildings and additions of up to ~~10,000~~ **5,000** square feet. Buildings of ~~10,000~~ **5,000** square feet or more require a site plan review, as listed below.

1.3.2.3.1 New construction of buildings greater than ~~10,000~~ **5,000** square feet.

1.4 Residence District, R-20

1.4.2.2.1 New construction of buildings and additions of up to ~~10,000~~ **5,000** square feet. Buildings of ~~10,000~~ **5,000** square feet or more require a site plan review, as listed below.

1.4.2.3.1 New construction of buildings greater than ~~10,000~~ **5,000** square feet.

1.5 Multifamily District, MF

1.5.2.2.1 New construction of buildings and additions of up to ~~10,000~~ **5,000** square feet. Buildings of ~~10,000~~ **5,000** square feet or more require a site plan review, as listed below.

1.5.2.3.2 New construction of buildings greater than ~~10,000~~ **5,000** square feet.

2.3 Neighborhood Commercial District, NC

2.3.2.2.10 New construction of buildings and additions of up to ~~10,000~~ **5,000** square feet. Buildings of ~~10,000~~ **5,000** square feet or more require a site plan review, as listed below.

2.3.2.3.2 New construction of buildings greater than ~~10,000~~ **5,000** square feet.

2.4 General Commercial, GC

2.4.2.2.21 New construction of buildings and additions of up to ~~10,000~~ **5,000** square feet. Buildings of ~~10,000~~ **5,000** square feet or more require a site plan review, as listed below.

2.4.2.3.2 New construction of buildings greater than ~~10,000~~ **5,000** square feet.

2.5 Planned Commercial District, PC

2.5.2.2.16 New construction of buildings and additions of up to ~~10,000~~ **5,000** square feet. Buildings of ~~10,000~~ **5,000** square feet or more require a site plan review, as listed below.

2.5.2.3.2 New construction of buildings greater than ~~10,000~~ **5,000** square feet.

2.6 Chelsea Central District, CC

2.6.2.2.16 New construction of buildings and additions of up to ~~10,000~~ **5,000** square feet. Buildings of ~~10,000~~ **5,000** square feet or more require a site plan review, as listed below.

2.6.2.3.1 New construction of buildings greater than ~~10,000~~ **5,000** square feet.

2.7 Waterfront Development District, WD

2.7.2.2.8 New construction of buildings and additions of up to ~~10,000~~ **5,000** square feet. Buildings of ~~10,000~~ **5,000** square feet or more require a site plan review, as listed below.

2.7.2.3.2 New construction of buildings greater than ~~10,000~~ **5,000** square feet.

2.9 Production, Manufacturing & Research District, PMR

2.9.2.4.7 New construction of buildings and additions of up to ~~10,000~~ **5,000** square feet. Buildings of ~~10,000~~ **5,000** square feet or more require a site plan review, as listed below.

2.9.2.5.1 New construction of buildings greater than ~~10,000~~ **5,000** square feet.

2.10 Business Park District, BP

2.10.3.2.13 New construction of buildings and additions of up to ~~10,000~~ **5,000** square feet. Buildings of ~~10,000~~ **5,000** square feet or more require a site plan review, as listed below.

2.10.3.3.3 New construction of buildings greater than ~~10,000~~ **5,000** square feet.

2.11 Planned Development Design District, PDD

2.11.2.2.5 New construction of buildings and additions of up to ~~10,000~~ **5,000** square feet. Buildings of ~~10,000~~ **5,000** square feet or more require a site plan review, as listed below.

2.11.2.3.1 New construction of buildings greater than ~~10,000~~ **5,000** square feet.

5.1 Off-street Parking

5.1.3.1.1 Bicycle parking facilities shall be provided as part of new multi-family developments of 4 dwelling units or more, new retail, office and institutional developments greater than ~~10,000~~ **5,000** square feet, and all transit transfer stations and park-and-ride lots.

Upon a motion by Ald. Gould, second by Ald. Wilson, it was unanimously voted to go into Executive Session pursuant to Connecticut General Statute Section 1-200(6) for the purpose of discussing strategy and negotiations with respect to collective bargaining. City Manager John Salomone and Corporation, Finance Director Joshua Pothier, Special Labor Attorney Kenneth Plumb and Counsel Michael E. Driscoll shall be asked to attend during all or portions of this Executive Session at the request of the City Council.

The council was in Executive Session from 12:05 am to 12:26 am, at which time Mayor Nystrom, stated no votes were taken.

Upon a motion of Ald. Gould, seconded by Ald. Nash, it was unanimously voted to return to regular session.

Upon motion of Ald. Nash, seconded by Ald. Gould, on a roll call vote it was unanimously voted to adjourn at 12:27 A.M.



City Clerk