

A regular meeting of the Council of the City of Norwich was held October 16, 2017 at 7:00 PM in Council Chambers. Present: Mayor Hinchey, Aldermen Nystrom, Philbrick, Braddock, Gould, Martin and Nash. City Manager Salomone and Corporation Counsel Michael Driscoll were also in attendance. Mayor Hinchey presided.

Ald. Gould read the opening prayer and Ald. Philbrick led the members in the Pledge of Allegiance.

Mayor Hinchey read the following proclamation:

**PROCLAMATION**

**Whereas**, communities across America have been plagued by the numerous problems associated with illicit drug use and those that traffic in them; and

**Whereas**, there is hope in winning the war on drugs, and that hope lies in education and drug demand reduction, coupled with the hard work and determination of organizations such as the Young Marines of the Marine Corps League to foster a healthy, drug-free lifestyle; and

**Whereas**, governments and community leaders know that citizen support is one of the most effective tools in the effort to reduce the use of illicit drugs in our communities; and

**Whereas**, the red ribbon has been chosen as a symbol commemorating the work of **Enrique "Kiki" Camarena**, a Drug Enforcement Administration agent who was murdered in the line of duty, and represents the belief that one person can make a difference; and

**Whereas**, the Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts; and

**Whereas**, October 23-31, 2017 has been designated National Red Ribbon Week, which encourages Americans to wear a red ribbon to show their support for a drug-free environment;

**Whereas**, the members of the Three Rivers Young Marines who have served this community since September 17, 1995, and the youth of the City of Norwich and its surrounding communities are committed to living a drug, alcohol and tobacco free life style;

**NOW THEREFORE, I, MAYOR DEBEREY HINCHEY AND NORWICH CITY COUNCIL ALDERWOMAN STACY GOULD, ON BEHALF OF THE NORWICH CITY COUNCIL AND THE CITIZENS OF THE CITY OF NORWICH DO HEREBY PROCLAIM** October 23<sup>rd</sup> -31<sup>st</sup> as **Red Ribbon Week** in the city of Norwich, Connecticut and urge all citizens to join me in this special observance.

**Dated this Sixteenth Day of October, 2017**

\_\_\_\_\_  
**Deberrey Hinchey**  
 Mayor

\_\_\_\_\_  
**Stacy Gould**  
 Alderwoman

Mayor Hinchey called for citizen comment.

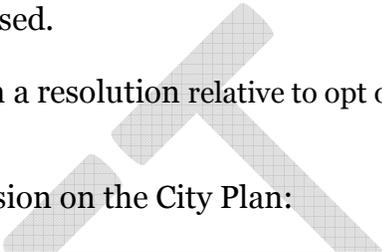
Rodney Bowie, 62 Roosevelt Ave, stated it was good to see young people getting involved in creating a drug free city. He thanked the Council for keeping the budget reasonable and also felt items should be in the budget and not bonded.

Gregg Grippo, 209 Boswell Ave, read his handout regarding a proclamation given at the October 2<sup>nd</sup> meeting and felt there should be a noise ordinance.

Mayor Hinchey declared citizen comment closed.

Mayor Hinchey called for a Public Hearing on a resolution relative to opt out of Temporary Health Structures.

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



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

**Art Sharron, Chairman**

September 27, 2017

**TO:** THE HONORABLE MAYOR AND ALDERPERSONS OF THE COUNCIL OF THE CITY OF NORWICH

**RE:** 1. A RESOLUTION to opt-out of the provisions of Public Act 17-155, including any amended provisions to subsection (a) of section 8-2 of the General Statutes which may require a municipality to allow installation of temporary healthcare structures as defined therein

2. AN ORDINANCE TO OPT OUT OF THE PROVISIONS OF SUBSECTION (a) OF SECTION 8-2 OF THE GENERAL STATUTES, AS AMENDED BY PUBLIC ACT 17-155 CONCERNING TEMPORARY HEALTH STRUCTURES

The Commission on the City Plan, at its **September 26<sup>th</sup>, 2017 Special** meeting reviewed the above-referenced referrals.

Seated were Chairman Art Sharron, Les King, and Swarnjit Singh Bhatia. 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 to support **both** the Resolution and Ordinance to opt out of the allowance of temporary healthcare structures.

Reason: There were multiple issues of concern noted due to the ambiguity of the legislation.

Respectfully submitted,

*Art Sharron (pb)*  
Art Sharron, Chairman

AS/dd

Pc: City Clerk, City Manager, City Planner

TOWN CITY CLERK  
NORWICH CT

2017 SEP 28 P 2:47

RECEIVED

Speaking in favor: There were no speakers.

Speaking in opposition: There were no speakers.

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

Mayor Hinchey called for a Public Hearing on AN ORDINANCE TO OPT OUT OF THE PROVISIONS OF SUBSECTION (a) OF SECTION 8-2 OF THE GENERAL STATUTES, AS AMENDED BY PUBLIC ACT 17-155 CONCERNING TEMPORARY HEALTH STRUCTURES

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Speaking in favor: There were no speakers.

Speaking in opposition: There were no speakers.

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

Mayor Hinchey called for the second reading and action on a resolution relative to opt out of Temporary Health Structures.

Upon a motion of Ald. Martin, seconded by Ald. Gould, it was unanimously voted to waive the reading of the full text and incorporate it into the minutes this resolution being given its second reading.

Ald. Gould motioned, seconded by Ald. Braddock, to adopt the below resolution introduced by Ald. Gould.

**WHEREAS**, the General Assembly of the State of Connecticut in 2017 passed, and the Governor signed into law, Public Act 17-155, amending among other provisions subsection (a) of section 8-2 of the Connecticut General Statutes, thereby requiring a municipality to allow temporary healthcare structures in certain residential zoning districts as defined therein; and

**WHEREAS**, Public Act 17-155 aims to overrule local regulation, including but not limited to, local zoning regulation, of temporary healthcare structures, but allows municipalities to opt out of the provisions of Public Act 17-155 and the amendment it makes to provisions of subsection a of section 8-2 of the General Statute by action of the municipal Zoning Commission and the municipal Legislative Body, both the Council of the City of Norwich in the case of Norwich; and

**WHEREAS**, the Council of the City of Norwich has referred this resolution and a proposed ordinance opting out of the provisions of Public Act 17-155 to the Norwich Commission on the City Plan for its consideration as to consistency with the Norwich plan of conservation and development; and

**WHEREAS**, the Council has reviewed the provisions of Public Act 17-155 with the aims and stated intent of the city’s zoning regulations.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH** that it, acting as the city zoning commission, declares its affirmative decision to opt-out of the provisions of Public Act 17-155, including any amended provisions to subsection (a) of section 8-2 of the General Statutes which may require a municipality to allow installation of temporary healthcare structures as defined therein; and

**BE IT FURTHER RESOLVED THAT THE COUNCIL OF THE CITY OF NORWICH as ZONING COMMISSION** bases this decision and declaration on multiple factors including (1) the density of occupation and concentration of structures in many of Norwich’s residential districts (2) the incompatibility of temporary healthcare structures within the Norwich Historic Districts and residential neighborhood which have been designated as historic or are eligible for such a designation (3) Norwich’s large number of multi-family housing units and affordable housing options suitable for providing temporary, affordable housing options for individuals likely to be served pursuant to Public Act 17-155 (4) the failure of Public Act 17-155 to provide the Council of the City of Norwich, the Zoning Commission and the people of the City of Norwich with enough flexibility to regulate temporary healthcare structures in a way that is compatible with the goals of the Norwich Zoning Regulations and the Plan of Conservation and Development, (5) the small number of zoning enforcement personnel available to the City of Norwich whereby it may be difficult if not impossible to assess whether a particular temporary healthcare structure actually complies with the provisions of Public Act 17-155.

**AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that by adoption of this resolution the Council of the City of Norwich as the legislative body of the City of Norwich votes to opt out of the provisions of this law, and also to consider amending its zoning regulations to include as a prohibited use “temporary healthcare structures pursuant to the amendments made to the General Statutes by Public Act 17-155” with the recognition that such provision shall not be valid and effective until the Council of the City of Norwich as legislative body of the City of Norwich also holds a vote to opt out of the provisions of Public Act 17-155; and

**BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH and ZONING COMMISSION** that the city clerk be directed to publish notice of the passage of this resolution having substantial circulation in the City of Norwich not later that fifteen (15) days after this Resolution has been adopted.

The above resolution passed on a vote of 7-0.

Mayor Hinchey called for the second reading and action on AN ORDINANCE TO OPT OUT OF THE PROVISIONS OF SUBSECTION (a) OF SECTION 8-2 OF THE GENERAL STATUTES,

AS AMENDED BY PUBLIC ACT 17-155 CONCERNING TEMPORARY HEALTH STRUCTURES.

Upon a motion of Ald. Philbrick, seconded by Ald. Braddock, 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.

Ald. Martin motioned, seconded by Ald. Gould, to adopt the below ordinance introduced by Mayor Hinchey.

Motion to amend by Ald. Gould, seconded by Ald. Braddock, it was unanimously voted to insert the date of "October 16, 2017" in the last paragraph of the ordinance.

**AN ORDINANCE TO OPT OUT OF THE PROVISIONS OF SUBSECTION (a) OF SECTION 8-2 OF THE GENERAL STATUTES, AS AMENDED BY PUBLIC ACT 17-155 CONCERNING TEMPORARY HEALTH STRUCTURES.**

**WHEREAS**, Connecticut Public Act 17-155, effective October 1, 2017, amends the provisions of subsection (a) of section 8-2 of the General Statutes to authorize the installation of temporary health care structures in certain residential zoning districts; and

**WHEREAS**, a municipality, by vote of its legislative body may opt out of the provisions of Public Act 17-155 and the provisions of subsection (a) of section 8-2 of the General Statutes, as amended by Public Act 17-155, provided the zoning commission or combined planning and zoning commission pursuant to Public Act 17-155(j), (1) first holds a public hearing in accordance with the provisions of section 8-7d of the General Statutes on such proposed opt-out, (2) affirmly decides to opt out of the provisions of said sections within the period of time permitted under section 8-7d of the General Statutes, (3) states upon its records the reasons for such decision, and (4) publishes a notice of such decision in a newspaper having substantial circulation in a municipality not later than 15 days after such a decision has been rendered; and

**WHEREAS**, the Council of the City of Norwich serves both as the zoning commission and legislative body and for the City of Norwich; and

**WHEREAS**, the Council of the City of Norwich, as zoning commission of the City of Norwich, has complied with the requirements of section (j) of Public Act 17-155 prior to acting upon this ordinance.

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH** that pursuant to section (j) of Public Act 17-155 the City of Norwich opts out of the provisions of Public Act 17-155 concerning temporary health care structures and the provisions of subsection (a) of section 8-2 of the General Statutes as amended by Public Act 17-155 for the reasons expressed in a Resolution adopted by the Council of the City of Norwich acting as zoning commission on October 16, 2017, a copy of which is attached hereto.

**WHEREAS**, the General Assembly of the State of Connecticut in 2017 passed, and the Governor signed into law, Public Act 17-155, amending among other provisions subsection (a) of section 8-2 of the Connecticut General Statutes, thereby requiring a

municipality to allow temporary healthcare structures in certain residential zoning districts as defined therein; and

**WHEREAS**, Public Act 17-155 aims to overrule local regulation, including but not limited to, local zoning regulation, of temporary healthcare structures, but allows municipalities to opt out of the provisions of Public Act 17-155 and the amendment it makes to provisions of subsection a of section 8-2 of the General Statute by action of the municipal Zoning Commission and the municipal Legislative Body, both the Council of the City of Norwich in the case of Norwich; and

**WHEREAS**, the Council of the City of Norwich has referred this resolution and a proposed ordinance opting out of the provisions of Public Act 17-155 to the Norwich Commission on the City Plan for its consideration as to consistency with the Norwich plan of conservation and development; and

**WHEREAS**, the Council has reviewed the provisions of Public Act 17-155 with the aims and stated intent of the city’s zoning regulations.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH** that it, acting as the city zoning commission, declares its affirmative decision to opt-out of the provisions of Public Act 17-155, including any amended provisions to subsection (a) of section 8-2 of the General Statutes which may require a municipality to allow installation of temporary healthcare structures as defined therein; and

**BE IT FURTHER RESOLVED THAT THE COUNCIL OF THE CITY OF NORWICH as ZONING COMMISSION** bases this decision and declaration on multiple factors including (1) the density of occupation and concentration of structures in many of Norwich’s residential districts (2) the incompatibility of temporary healthcare structures within the Norwich Historic Districts and residential neighborhood which have been designated as historic or are eligible for such a designation (3) Norwich’s’ large number of multi-family housing units and affordable housing options suitable for providing temporary, affordable housing options for individuals likely to be served pursuant to Public Act 17-155 (4) the failure of Public Act 17-155 to provide the Council of the City of Norwich, the Zoning Commission and the people of the City of Norwich with enough flexibility to regulate temporary healthcare structures in a way that is compatible with the goals of the Norwich Zoning Regulations and the Plan of Conservation and Development, (5) the small number of zoning enforcement personnel available to the City of Norwich whereby it may be difficult if not impossible to assess whether a particular temporary healthcare structure actually complies with the provisions of Public Act 17-155.

**AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that by adoption of this resolution the Council of the City of Norwich as the legislative body of the City of Norwich votes to opt out of the provisions of this law, and also to consider amending its zoning regulations to include as a prohibited use “temporary healthcare structures pursuant to the amendments made to the General Statutes by Public Act 17-155” with the recognition that such provision shall not be valid and

effective until the Council of the City of Norwich as legislative body of the City of Norwich also holds a vote to opt out of the provisions of Public Act 17-155; and

**BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH and ZONING COMMISSION** that the city clerk be directed to publish notice of the passage of this resolution having substantial circulation in the City of Norwich not later that fifteen (15) days after this Resolution has been adopted.

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

Upon a motion of Ald. Gould, seconded by Ald. Braddock, it was unanimously voted to accept the report from the Commission on the City Plan see above.

#### City Manager's Report:

**To:** Mayor Hinchey and members of the City Council  
**From:** John Salomone, City Manager  
**Subject:** City Manager's Report  
**Date:** October 16, 2017

The Mayor and I continue our weekly meetings.

Chief Daley and I attended a meeting at the Groton Police Department with representatives from the Statewide Emergency Telecommunications regarding radio communications. I also had a follow up meeting with staff regarding the city's radio procedures and requirements.

On October 3, I attended the Connecticut Conference of Municipalities (CCM) meeting in Wallingford. On the agenda were the State Budget update and CCM priorities and their approach to municipal advocacy in 2018.

I held an interview for Inland Wetlands and Water Courses and Conservation Commission (IWWCC) vacancy.

I attended the monthly Department Head City Coordination Meeting at the NPU Training Room on October 5th. I also meet with Superintendent Dolliver and staff regarding the budget.

I met with staff regarding upcoming pension negotiations.

I attended Mayor Hinchey's State of Norwich address on October 11<sup>th</sup> sponsored by the Chamber of Commerce of Eastern Connecticut.

On Thursday, October 12<sup>th</sup> I attended the CTCMA monthly meeting in Wethersfield. The guest speaker was Secretary Ben Barnes from the State of CT Office of Policy and Management. He advised that the State would not have a budget as of October 13, 2017 which was previously anticipated.

Union negotiations were held on October 13<sup>th</sup> with staff and Union representatives. Ten unions were invited to the first proposal exchange that was held at NPU.

City Hall was featured as walk “106” for the *Last Green Valley’s* annual event *Walktober*. Twenty-two people took the tour and were impressed with the history and architectural details of City Hall. Thank you to City Clerk, Betsy Barret, for guiding the tour along with my assistant, Jacquie Barbarossa and Historic Consultant, Regan Miner.

Mayor Hinchey called for citizen comment on resolutions.

There were no speakers.

Mayor Hinchey declared citizen comment on resolutions was closed.

Upon a motion of Ald. Martin, seconded by President Pro Tem Nystrom, it was unanimously voted to adopt the following resolution introduced by Mayor Hinchey.

**RESOLUTION AMENDING A RESOLUTION ADOPTED SEPTEMBER 18, 2017 TO CLARIFY THE RENAMING OF A CITY-OWNED PROPERTY IN OCCUM**

**WHEREAS**, Reverend Samson Occum (1723-1792) was born on Mohegan land and became one of the first ordained Christian Indian ministers; and

**WHEREAS**, Reverend Samson Occum was the first Native American to publish his writings in English and also helped fund several settlements, including the Brothertown Indians; and

**WHEREAS**, Reverend Samson Occum was a prominent Mohegan clergyman, preacher, missionary, hymnist and political activist; and

**WHEREAS**, the Norwich neighborhood of Occum is named for Samson Occum; and

**WHEREAS**, two locations appear to be referred to as Occum Park, one for many years known as the Occum Playground and still referred to by many Occum residents as the Occum Playground

**NOW THEREFORE BE IT RESOLVED**, that the parcel of land acquired by the City of Norwich by a deed recorded in the Norwich Land Records at volume 380, page 332 and sometimes referred to as Occum Park but also known as the Occum Playground, be, and hereby is named the Reverend Samson Occum Playground.

Upon a motion of Ald. Braddock, seconded by Ald. Gould, it was unanimously voted to adopt the following resolution introduced by City Manager Salomone.

**WHEREAS**, the City Manager John L. Salomone, has appointed with Council approval as a **regular member** of the Inland Wetlands, Water Courses and Conservation Commission for a term to expire on June 15, 2019 or until a successor is appointed:

Peter Chalecki (R)

Upon a motion of Ald. Gould, seconded by Braddock, it was unanimously voted to adopt the following resolution introduced by Ald. Gould.

Relative to extending the delay in hiring of certain positions and postponement of layoff of employees funded by the general fund until December 1, 2017.

**WHEREAS**, the budget for Fiscal Year 2017-18 adopted on June 12, 2017 includes the elimination of positions; and,

**WHEREAS**, the City of Norwich has positions which are currently vacant; and,

**WHEREAS**, the City of Norwich receives over 30% of its general fund operating revenue from municipal aid from the State of Connecticut; and,

**WHEREAS**, the Connecticut General Assembly has not yet adopted the State of Connecticut's 2017-2019 biennial budget; and,

**WHEREAS**, Connecticut House Bill 7294, if adopted, would allow a municipality to amend its budget for the fiscal year ending June 30, 2018 if it adopted its budget prior to the adoption of the state budget and "such municipality...receives, pursuant to such adopted state budget, a different amount of state aid than that projected in the municipality's...adopted budget;" and,

**WHEREAS**, the Council of the City of Norwich recognizes it is desirable to maintain continuity in the staffing of the departments of the City of Norwich by avoiding the implementation of layoffs in the event that municipal aid from the State of Connecticut exceeds the amounts estimated in the budget adopted by the City of Norwich on June 12, 2017.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that all layoffs from positions funded by the general fund be postponed until December 1, 2017.

**BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that the following positions which are currently vacant and funded in the budget for Fiscal Year 2017-18, as adopted on June 12, 2017, shall remain vacant until December 1, 2017:

- One Police Officer – Police Department
- Recreation Facilities Maintenance Supervisor – Recreation
- Blight Control/Housing Enforcement Officer – Planning & Neighborhood Services Department

**BE IT ACKNOWLEDGED BY THE COUNCIL OF THE CITY OF NORWICH**, that although the postponement of layoffs and delay of filling of vacant positions is likely to have a neutral or positive net budgetary impact on the general fund budget for Fiscal Year 2017-18, these actions may necessitate budget transfers among departments later in the fiscal year.

Upon a motion of Ald. Nash, seconded by Ald. Gould, it was unanimously voted to adopt the following resolution introduced by City Manager Salomone.

To reallocate funds from the 2017-18 Capital Budget to meet the local share requirement on the John B. Stanton School roof replacement project

**WHEREAS**, the Council of the City of Norwich in recognition that it may be eligible for State or Federal assistance, by resolution adopted at its June 5, 2017 meeting, appointed a building committee for the required replacement of a portion of the roof at the John B. Stanton School (the "Project"); authorized and directed this building committee to arrange for the preparation of plans and specifications for the Project and file all applications necessary to seek, process and obtain any available state and federal assistance through appropriate agencies for the Project; and authorized the City Manager and Comptroller to arrange to borrow funds in a sum not to exceed \$375,000 for the Project; and,

**WHEREAS**, the State of Connecticut Department of Administrative Services on September 28, 2017, notified the Board of Education that it has approved the plans for the Project and assigned it State Project No. "103-0117 RR John B. Stanton School"; and,

**WHEREAS**, the Project is expected to cost \$375,000; and,

**WHEREAS**, the estimated School Construction Grant is \$283,000; and,

**WHEREAS**, the estimated local share of Project costs of \$92,000 could be met with a reallocation of Capital Improvement Funds and the City Manager and Comptroller recommend this approach as more cost-efficient than a bond ordinance.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH**, that a sum of \$92,000 be reallocated and transferred from Capital Improvement Fund 2017-18 "Road and Parking Lot Resurfacing and Preventative Maintenance" line item to the School Construction Fund to meet the local share requirement for the Project

Upon motion of Ald. Gould, seconded by Ald. Martin, it was unanimously voted to adjourn at 7:40 pm.

*Betsy W. Bannister*  
CITY CLERK