



**AGENDA – MEETING OF THE COUNCIL OF THE CITY OF NORWICH
MARCH 16, 2009
7:00 PM**

CITIZEN COMMENT

CITY MANAGER’S REPORT

PUBLIC HEARING

1. AN ORDINANCE APPROPRIATING FUNDS FROM THE GENERAL FUND SURPLUS TO PURCHASE LARGE DIAMETER HOSE FOR THE FIRE DEPARTMENTS OF THE CITY OF NORWICH

NEW BUSINESS – RESOLUTIONS

1. Relative to City Manager Bergren being authorized to enter into an agreement with HUD’s office of Healthy Homes and Lead Hazard Control for administration of the 1.6 million dollar grant.
2. Relative to City Manager Bergren being authorized to enter into agreements and sign documents necessary to release the surety bond from 34 Courthouse Square Partnership LLC.
3. Relative to \$2,200 being allocated fro removal of parts of the roof at 196 Yantic Street from Demolition Account 1523288110.
4. Relative to appointing a committee to prepare guidelines for the restoration, redevelopment or other reuse of 21 West Thames Street.
5. Relative to appoint a Committee of Review to report its recommendations as to the disposition of the City’s tax liens encumbering 751 North Main Street.
6. Relative to the ratification of the Police contract.
7. Relative to an Assignment of the lease for Dodd Stadium.

NEW BUSINESS - ORDINANCE

1. AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF NORWICH, ACCOMPANYING ORDINANCE OF THE CITY OF NORWICH BY CHANGING TWO TRACTS OR PARCELS OF LAND KNOWN AS 6 MAENNERCHOR AVENUE AND 10 MAENNERCHOR AVENUE FROM R-20 TO MF.
2. AN ORDINANCE PROVIDING CERTAIN EXEMPTIONS FROM PROPERTY TAXES FOR FARM MACHINERY AND FARM BUILDINGS PURSUANT TO CONNECTICUT GENERAL STATUTES SECTION 12-91

CITIZEN COMMENT

EXECUTIVE SESSION – Labor Contract Negotiations
Status and Strategy



ASSISTANT CITY CLERK

PUBLIC HEARING #1

**AN ORDINANCE APPROPRIATING FUNDS FROM THE GENERAL FUND
SURPLUS TO PURCHASE LARGE DIAMETER HOSE FOR THE FIRE
DEPARTMENTS OF THE CITY OF NORWICH**

WHEREAS, the fire departments of the City of Norwich have aggregated their large diameter hose replacement needs and sought competitive bids on the same; and

WHEREAS, the total cost of this hose is \$105,106; and

WHEREAS, through the departments' operating budgets, the capital budget and funds available from the Community Development Block Grant, the City has a total of \$60,950 appropriated to pay for this hose.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH, that \$44,156 be and hereby is appropriated from the General Fund Undesignated Fund Balance for the purpose of purchasing large diameter hose for the fire departments of the City of Norwich.

City Manager Alan H. Bergren

RESOLUTION #1

RESOLUTION

WHEREAS, the City of Norwich has an abundance of aging housing stock where lead-based paint continues to remain a hazard, especially for children residing in such housing, and

WHEREAS, children under the age of seven can suffer permanent mental damage from elevated blood lead levels, and

WHEREAS, Uncas Health District, the Norwich Property Rehab Program and official data compiled by government agencies confirm that there are children in Norwich that are diagnosed with elevated blood lead levels, and

WHEREAS, the Norwich Property Rehab Program treats lead hazard within its program but had insufficient funds to adequately address the problem, and

WHEREAS, the Norwich Office of Community Development filed a grant application with the Department of Housing and Urban Development (HUD)'s Office of Healthy Homes and Lead Hazard Control for approximately 1.6 million dollars, and

WHEREAS, the City recently learned that the grant application was successful and the City will receive 1.6 million dollars for lead based paint hazard reduction, and

WHEREAS, the City of Norwich is required to execute an agreement with HUD by April 1, 2009,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that the City Manager is authorized to enter into an agreement with the Department of Housing and Urban Development's Office of Healthy Homes and Lead Hazard Control for administration of the 1.6 million dollar grant to be administered by the Office of Community Development.

City Manager Alan H. Bergren

RESOLUTION #2

WHEREAS, the Council of the City of Norwich by resolution adopted June 18, 2007 authorized the acting City Manager to negotiate and enter into a Development Agreement with 34 Courthouse Square Partnership, LLC for the development of 34 Courthouse Square, Norwich, Connecticut; and

WHEREAS, the City of Norwich and 34 Courthouse Square Partnership, LLC entered into a Developer Agreement which provided, among other things, that the developer obtain a surety bond securing the performance of work in an amount not less than 50% of the estimated cost of the work; and

WHEREAS, the cost of the work was estimated to be \$650,000.00; and

WHEREAS, the 34 Courthouse Square Partnership, LLC posted a bond in an amount of \$325,000.00 identified as Bond No. 775156S with 34 Courthouse Square Partnership, LLC as principal and the Developer's Surety and Indemnity Company as surety, which bond is dated November 8, 2007; and

WHEREAS, 34 Courthouse Square Partnership, LLC has rehabilitated the property substantially in accordance with its plan as amended; and

WHEREAS, the City of Norwich has issued a Certificate of Occupancy for the entirety of the property which is deemed to be completion of the project for purposes of the release of the surety

NOW THEREFORE BE IT RESOLVED by the Council of the City of Norwich that City Manager Alan H. Bergren be and hereby is authorized and directed to enter into such agreements and sign such documents as are necessary to release the surety under the completion bond described herein.

City Manager Alan H. Bergren

RESOLUTION #3

RESOLUTION

WHEREAS, a deteriorated roof overhang on 196 Yantic Street is a blighted condition that has drawn numerous complaints from the residents of adjoining Falls Mill housing complex, and

WHEREAS, the Board of Review Dangerous Buildings is in unanimous agreement that the deteriorated roof overhand should be removed, and

WHEREAS, the property owner has failed to perform the necessary work despite the best efforts of the city of Norwich, and

WHEREAS, the Building Department attained three quotes to remove the deteriorated roof overhand and remove the debris, and

WHEREAS, the lowest of these quotes was \$2,200, and

WHEREAS, the City of Norwich can recoup funds expended by placing a lien of the above mentioned property for the amount expended, and

WHEREAS, the property owner has given permission to the City of Norwich to enter the property and perform the work.

NOW THEREFORE be it resolved by the Council of the City of Norwich that \$2,200 will be allocated to removal of deteriorated parts of the roof at 196 Yantic Street from Demolition Account 1523288110 and that a lien for the same amount be placed on the property.

City Manager Alan H. Bergren

RESOLUTION #4

WHEREAS, the City of Norwich has acquired the property known as 21 West Thames Street; and

WHEREAS, said property is in dilapidated condition but may be capable of being restored and redeveloped, or to be demolished to make way for another structure on the site; and

WHEREAS, said dilapidated structure is visible from a major thoroughfare leading to the downtown section of the City of Norwich; and

WHEREAS, it is the opinion of the Council of the City of Norwich that the timely restoration and redevelopment of said property or the demolition of said property with or without replacement by another structure will eliminate a blighted property and potentially restore said property in improved condition to the tax rolls

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORWICH that a Committee be and hereby is appointed to consist of:

Alderman Jon Jacaruso
Gary Schnip
Sofee Noblick
Richard A. Caron, Sr.
Andrew Zeeman
James M. Quarto

To prepare guidelines for the restoration, redevelopment or other reuse of said property, to solicit requests for proposals for the restoration, redevelopment or other reuse of said property, to review and consider all duly made proposals according to such criteria as the committee shall develop, to set a minimum bid price for said property in consultation with the City Comptroller, recognizing that the price offered for the property is to be only one factor in the review, and to select and recommend a proposed developer, or, if the committee chooses, more than one proposed developer to the Council of the City of Norwich for its consideration by a report to be submitted on or before the first meeting of the Council of the City of Norwich in the month of July 2009.

Alderman Jonathan Jacaruso

RESOLUTION #5

WHEREAS, the City of Norwich is the holder of certain liens (“existing liens”) levied against real property shown in the records of the Norwich tax assessor as Map 79, Block 1, Lot 40 known as 751 North Main Street; and

WHEREAS, these liens include tax liens in the total amount of \$248,335.35 with additional monies due pursuant to three demolition liens, five security liens and three health liens; and

WHEREAS, the Council of the City of Norwich has reason to believe that development of the property will require environmental remediation; and

WHEREAS, a structure on the site was subject to multiple fires and eventually ordered to be demolished; and

WHEREAS, the Council of the City of Norwich finds that it is not in the interest of the City of Norwich to attempt to remediate and develop the property itself at this time; and

WHEREAS, the Council of the City of Norwich finds it to be in the best interest of the City of Norwich to appoint a committee to evaluate the property, to consider its potential for development by the private sector, and to recommend to the Council of the City of Norwich whether it should consider an auction of the tax liens to the highest bidder subject to the contingency that the bidder must foreclose the property and take title to the same within a period of two years, or conduct a Request for Proposals process to select a developer for the site to include an assignment of the City’s tax liens to the developer subject to the terms and conditions of a development agreement.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY NORWICH that a committee to consist of Alderman Jon Jacaruso, Gary Schnip, Sofee Noblick, Richard A. Caron, Sr., Andrew Zeeman and James M. Quarto be and hereby is appointed a Committee of Review for the Council of the City of Norwich to report its recommendations as to the disposition of the City’s tax liens encumbering the property known as 751 North Main Street to the Council of the City of Norwich by May 18, 2009.

Alderman Jonathan Jacaruso

RESOLUTION #6

RESOLVED, that the proposed Agreement between the City of Norwich, Connecticut and UPSEU/COPS Local #104, covering the period between July 1, 2007 and June 30, 2012, be, and the same hereby is, approved in accordance with the provisions of Connecticut General Statutes, Section 7-474, and be it further resolved, that the City Manager, Alan H. Bergren, be, and hereby is, authorized and directed to execute the same in the name of the City.

City Manager Alan H. Bergren

RESOLUTION #7

WHEREAS, Navigators Baseball, L.P. a Connecticut Limited Partnership, is the Lessee under that certain "Stadium Lease Agreement Between The City of Norwich and Navigators Baseball, L.P. for Premises known as Senator Thomas J. Dodd Memorial Stadium Located at Stott Avenue, Norwich, Connecticut" dated as of December 23, 2005 (the "Lease"); and

WHEREAS, Pursuant to Article XXVI, Section 26.1 of the Lease, Navigators Baseball, L.P. has requested the consent of the City of Norwich, as Lessor under the Lease, to an assignment of its lessee interest in the Lease to Richmond Baseball Club, LC, a Virginia limited liability company with offices in Richmond, Virginia; and

WHEREAS, the Council of the City of Norwich finds it to be in the public interest to grant its consent to the assignment as requested.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Norwich that upon payment in full of all sums accrued and due the City or Norwich as of the effective date of such assignment, whether or not then billed and without offset of any kind, City Manager, Alan H. Bergren, be and hereby is authorized and directed to execute and deliver pursuant to Section 26.1 of the Lease the written consent of the City of Norwich to the assignment of the leasehold interest of Navigators Baseball, L.P. to Richmond Baseball Club, LC as successor lessee under the Lease. The written consent to assignment shall be in such form and content, and subject to such additional terms and conditions as are deemed prudent and satisfactory by the City Manager and as are approved by Corporation Council.

City Manager Alan H. Bergren

ORDINANCE #1

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF NORWICH, ACCOMPANYING THE ZONING ORDINANCE OF THE CITY OF NORWICH BY CHANGING TWO TRACTS OR PARCELS OF LAND KNOWN AS 6 MAENNERCHOR AVENUE AND 10 MAENNERCHOR AVENUE FROM R-20 TO MF.

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

That the following map of the City of Norwich accompanying the Zoning Ordinance of the City of Norwich be and the same is hereby amended so that the following tracts or parcels of land known as 6 Maennerchor venue and 10 Maennerchor venue are changed from R-20 to MF, said tracts or parcels of land more particularly described as follows:

See Schedule "A" attached hereto.

PURPOSE OF CHANGE: To permit access to a proposed MF residential development. To conform the existing three-family residence which is located on a portion of the above-described tracts.

Dated at Norwich, Connecticut this 12th day of February, 2009

THE APPLICANT,

By: Darwin C. Gebbie

Submitted by Mayor Benjamin P. Lathrop
By request of Darwin C. Gebbie

Mayor Benjamin P. Lathrop

ORDINANCE #2

AN ORDINANCE PROVIDING CERTAIN EXEMPTIONS FROM PROPERTY TAXES FOR FARM MACHINERY AND FARM BUILDINGS PURSUANT TO CONNECTICUT GENERAL STATUTES SECTION 12-91

WHEREAS, it is the policy of the City of Norwich to promote the preservation of open space including preservation of the limited number of farms located within the municipality; and

WHEREAS, the State of Connecticut has authorized municipalities to provide limited local property tax exemptions for farm machinery held by qualifying farmers and limited local property tax exemptions for any building used actually and exclusively in farming, as defined in Connecticut General Statutes Section 1-1, and the providing of such property tax exemptions will support this policy of the City of Norwich;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH, pursuant to the authority of Connecticut General Statutes Section 12-91(b), that the City of Norwich shall provide an additional exemption from property tax for all farm machinery qualifying for the exemption provided under the Connecticut General Statutes Section 12-91(a) to the extent of an additional assessed value of \$100,000.00, any such exemption being subject to the same limitations as the exemption provided under subsection (a) of Connecticut General Statutes Section 12-91 and the application and qualification process provided in subsection (d) of Connecticut General Statutes Section 12-91.

AND BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH, pursuant to the authority of Connecticut General Statutes Section 12-91(c), that the City of Norwich shall provide an exemption from property tax for any building used actually and exclusively in farming, as defined in Section 1-1 of the Connecticut General Statutes the amount of such exemption from the assessed value to be up to but no more than \$100,000.00 with respect to each eligible building. Such exemption shall not apply to the residence of any such farmer and shall be subject to the application and qualification process provided in subsection (d) of Connecticut General Statutes Section 12-91.

(Purpose: To provide additional local property tax exemptions for certain farm machinery and farm buildings through an exemption from the assessed value of the same as permitted by local option pursuant to Connecticut General Statutes Section 12-91)

Submitted by Robert Zarnetske