



**AGENDA – MEETING OF THE COUNCIL OF THE CITY OF NORWICH
MARCH 2, 2009
7:30 PM**

PRAYER

PLEDGE OF ALLEGIANCE

ADOPTION OF MINUTES: Meetings of February 2, & 17, 2009

CITIZEN COMMENT

CITY MANAGER’S REPORT

REPORTS OF COMMITTEES

1. Report from the Norwich Redevelopment Agency on Qualifications/Proposals to develop the Reid & Hughes Building.
2. From the Commission on the City Plan on AN ORDINANCE APPROPRIATING \$800,000 TO ACQUIRE LAND AND AN OPTION FOR LAND IN THE AREA OF 401 NORTH MAIN STREET, NORWICH AND AUTHORIZING THE ISSUE OF \$800,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

PUBLIC HEARING

1. AN ORDINANCE APPROPRIATING \$800,000 TO ACQUIRE LAND AND AN OPTION FOR LAND IN THE AREA OF 401 NORTH MAIN STREET, NORWICH AND AUTHORIZING THE ISSUE OF \$800,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

SECOND READING AND ACTION OF ORDINANCE

NEW BUSINESS – RESOLUTIONS

1. Relative to \$2,200 being allocated to remove parts of the roof at 196 Yantic St. from Demolition Account. 1523288110.
2. Relative to City Manager Bergren being directed to sign the City of Norwich Fair Housing Policy and insure proper implementation by the Office of Community Development.

NEW BUSINESS - ORDINANCE

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

CITIZEN COMMENT

**EXECUTIVE SESSION – Stadium Lease Negotiations
Strategy & Negotiations
Land Acquisition**



ASSISTANT CITY CLERK

February 3, 2009

City of Norwich
City Council
100 Broadway
Norwich, CT 06360

Re: Reid & Hughes RFP
Qualifications/Proposals to develop the Reid & Hughes Building

Dear Members of the Norwich City Council:

The Norwich Redevelopment Agency (RDA) was charged with evaluating the submissions pursuant to the above named RFP. Two responses to the RFP were received by the specified date of submission. The submissions were as follows:

- Renaissance Real Estate Group, LLC.
- Mr. Choung Jon Sang & Ms. Janny Lam

At the December 22, 2008 regular meeting the proposals were reviewed. The RDA found that one of the proposals met the submission criteria and decided to interview partners Mr. Choung Jon Sang & Ms. Janny Lam. The RDA identified certain questions for the proposed developer and by correspondence dated December 26, 2008 communicated these questions to the parties. The proposal from Renaissance Real Estate Group, LLC was not found to meet the submission criteria.

At the regular meeting dated January 26, 2009, the RDA interviewed the proposed developer, Ms. Janny. Lam. Ms. Lam acknowledged receiving the correspondence dated December 26, 2008. Ms. Lam was asked to address the questions outlined in the correspondence as well as any follow up questions from RDA members.

Condition #1: Façade Restoration Proposal

In the interview process the RDA learned that Ms. Lam was willing to enter into a development agreement which supplying the Norwich City Council with an architectural rendering illustrating how she proposes to restore the façade. The RDA recommends that approval of the façade restoration as shown in the required rendering be a condition of

the development agreement. The RDA recommends that a qualified architect or agency, such as the Historic District Commission or architect specializes in historic preservation be asked to approve the façade design to ensure that the façade is restored to its original condition and the stonework that was adhered to the façade most likely in the 1960's or 1970's is removed.

Condition #2: Façade Restoration Proposal

The RDA believes that Ms. Lam should be required to present a detailed cost estimate as part of the development agreement.

Public Benefit

The RDA was extremely pleased to learn that the development partners wish to locate a grocery on the first floor. The lack of grocery services in the downtown is a detriment to redevelopment of the area and is a hardship for low-income residents who do not have automobiles to visit the large supermarkets in Norwich. With its position on the bus line, a good grocery in the Reid & Hughes building would provide significant public benefit to the city. The RDA also noted the success of the development partners in redevelopment projects in Norwich. The RDA recommends that the City enter into a development agreement with Mr. Choung Jon Sang and Ms. Janny Lam.

Sincerely,

Thomas O. Marien, Chairman
Norwich Redevelopment Agency

CITY OF NORWICH
Commission on the City Plan
23 Union Street, Norwich, CT 06360
Telephone: (860) 823-3766, Fax: (860) 823-3715
E-mail: norplan@cityofnorwich.org

Ralph Page, Chairman

Jeremy Booty, Vice-Chairman

February 19, 2009

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

C.G.S. 8-24 Referral: AN ORDINANCE APPROPRIATING \$800,000 TO ACQUIRE LAND AND AN OPTION FOR LAND IN THE AREA OF 401 NORTH MAIN STREET, NORWICH AND AUTHORIZING THE ISSUE OF \$800,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

At the meeting of the Council of the City of Norwich (Council) held on **February 2, 2009**, the ordinance described above was introduced and referred to the Commission on the City Plan (Commission) for a report pursuant to Chapter XV, Section 4 of the City Charter.

The Commission on the City Plan, at its **February 17, 2009** regular meeting reviewed the above-referenced referral.

Seated were Ralph Page, Jeremy Booty and Les King.

After discussion and careful consideration, the Commission voted unanimously to forward a **FAVORABLE** recommendation.

In reaching the favorable recommendation, the Commission deemed that the proposed appropriation of funds is consistent with the goals and objectives set forward in the Plan of Conservation and Development as follows:

- Consistent with Chapter 9 Community Facilities goal to purchase land for future needs.
- Consistent with Section 5-2 of the Plan of Conservation and Development.

If you have any questions, please contact the Planning Director or City Planner.

Respectfully submitted,

Ralph Page, Chairman

RP/tpc
Pc: City Clerk, City Manager

PUBLIC HEARING #1

AN ORDINANCE APPROPRIATING \$800,000 TO ACQUIRE LAND AND AN OPTION FOR LAND IN THE AREA OF 401 NORTH MAIN STREET, NORWICH AND AUTHORIZING THE ISSUE OF \$800,000 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 \$800,000 is appropriated for the acquisition of land for municipal purposes as determined from time to time by the Council, including potential use as a police station. The land to be purchased is more particularly described in Volume 337 Page 324 of the Norwich Land Records, consisting of the First Piece in such description. The land on which an option may be acquired consists of 1) the premises conveyed to Matthew R. Isenberg by deed recorded in Volume 337 Page 327, 2) the "Third Piece" described in Volume 337 Page 324, 3) Land described in Volume 344 Page 717 and formerly known as 7-9 Fourth Street, 4) the Road Parcel consisting of a portion of 4th Street, South of North Main Street and North of the railroad right of way. The foregoing Purchase Parcel and the four option parcels are sometimes referred to as 401 North Main Street and Map 94, Block 2, Lot 44 on the Norwich Tax Assessor's Map. The City may correct or revise the foregoing descriptions, and may purchase or option to purchase any combination of the Parcels. The appropriation shall include engineering, design and consulting fees, appraisal, testing, commissions, environmental remediation, surveying, title insurance and such other expenses necessary or appropriate for such acquisition, and including administrative, advertising, printing, legal and financing costs related thereto (hereinafter the "Project").

Section 2. The total estimated cost of the project is \$800,000. No portion of the project cost is expected to be paid from sources other than the proposed bond issue. The estimated useful life of the project is twenty years. The project is a general benefit to the City of Norwich and its general governmental purposes.

Section 3. To meet said appropriation \$800,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the twentieth year after their date, or such later date as may be allowed by law. Said bonds may be issued in one or more series as shall be determined by the City Manager and the Comptroller, and the amount of bonds of each series to be issued shall be fixed by the City Manager and the Comptroller, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the

manual or facsimile signatures of the City Manager and the Comptroller, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the City Manager and the Comptroller, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the City Manager and the Comptroller, and be approved as to their legality by Murtha Cullina LLP, Attorneys-At-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the City Manager and the Comptroller. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. 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. 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, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the City Council. In order to meet the capital cash flow expenditure needs of the City, the City Manager and Comptroller are authorized to allocate and reallocate expenditures incurred for the Project to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes and Project herein authorized.

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. The principal and interest on the proposed issue are to be paid from property taxation to the extent not paid from other funds available for the payment thereof and the full faith and credit of the City are pledged to such payment.

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 competitive process, at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation the purchase contract shall be approved by the City Council.

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 General Statutes of Connecticut, as amended, and be approved as to their legality by Murtha Cullina LLP, Attorneys-At-Law, of Hartford. They shall be issued with maturity dates which comply with the provisions of the General 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, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 7. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The City (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date 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. 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.

RESOLUTION #1

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 #2

RESOLUTION

WHEREAS, the City of Norwich is a Community Development Block Grant (CDBG) entitlement community, and

WHEREAS, the City of Norwich has community development needs that exceed the CDBG funding provided, and

WHEREAS, the City of Norwich can provide for community development needs through the federally funded HOME program, which is available to fund housing rehabilitation activities such as the ones undertaken by the Norwich Housing Rehab Program, and

WHEREAS, the City of Norwich supports the goal of increased access to safe, affordable housing and affordable homeownership, and

WHEREAS, the Norwich supports aims of fair access for all to decent housing as outlined in federal and state law, and

WHEREAS, the City of Norwich will submit an application to the Connecticut Department of Economic and Community Development (DECD) for HOME funds to be used in the Norwich Property Rehabilitation Program, and

WHEREAS, the City of Norwich Office of Community Development as a CDBG grantee and a potential HOME grantee is charged with implementing a local Fair Housing Policy that maximizes community outreach regarding fair housing, and

WHEREAS, the City of Norwich must submit this Fair Housing Policy as a component of its application to DECD,

NOW, THEREFORE, BE IT RESOLVED by the Norwich City Council that the City Manager is directed to sign the City of Norwich Fair Housing Policy and ensure its proper implementation by the Office of Community Development.

City Manager Alan H. Bergren

NEW BUSINESS - ORDINANCE #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