

JANUARY 14, 2020

The meeting of the City Council was held on January 14, 2020 in the City Hall Council Chambers, 111 North Main Street at 7:03 p.m. Present: Mayor Zoppo-Sassu; Council Members Barney, Fortier, Hahn, Kelley, and Rosado. Absent: Council Member Preleski.

1. MOMENT OF REFLECTION FOR TROOPS SERVING IN MIDDLE EAST, AND UNITED STATES AND FOR PEOPLE OF AUSTRALIA.

Mayor Zoppo-Sassu requested a Moment of Reflection for troops serving in the Middle East, on active alert in the United States, and for the people in Australia.

2. RETIREMENT OF FIRE CHIEF JAY KOLAKOSKI.

Mayor Zoppo-Sassu presented a Proclamation to Fire Chief Kolakoski in recognition of his 35 years of service on the Bristol Fire Department. She commended his dedication to Bristol and the Fire Department and declared January 17, 2020 as Jay Kolakoski Day in Bristol.

3. APPROVAL OF MINUTES OF REGULAR CITY COUNCIL MEETING ON DECEMBER 10, 2019.

On motion of Council Member Fortier and seconded, it was unanimously voted: To approve the minutes of the regular City Council meeting on December 10, 2019.

4. PUBLIC PARTICIPATION.

Larry Covino of Bristol Adult Education outlined a proposed Bristol Public School Unpaid Experiential Learning Program which would allow Bristol High School students to explore different career opportunities by shadowing City employees. The program would be fully funded by the Department of Labor and Department of Education. He suggested a pilot program begin this spring with a small number of students.

5. BRISTOL PUBLIC SCHOOLS UNPAID EXPERIENTIAL LEARNING PROGRAM REFERRED TO VARIOUS BOARDS FOR REVIEW AND AUTHORIZATION FOR MAYOR TO SIGN AGREEMENTS.

On motion of Council Member Barney and seconded, it was unanimously voted: To refer for review the matter of the Bristol Public Schools Unpaid Experiential Learning Program to the Board of Park Commissioners, Board of Public Works, Board of Water Commissioners, Board of Fire Commissioners and the Board of Police Commissioners, to authorize the Mayor to sign all necessary agreements, and to refer the matter to the Corporation Counsel for review.

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6. RESOLUTION FOR VESTA/BHA JOINT VENTURE AS PREFERRED DEVELOPER FOR 273 RIVERSIDE AVENUE AND 296 RIVERSIDE AVENUE TO REDEVELOP PROPERTIES AS UNSUBSIDIZED RENTAL HOUSING, ADOPTED.

Marie O'Brien, Sessions Task Force Chrm., summarized their report concerning the remediation and redevelopment of the Sessions building on Riverside Avenue. The Task Force reviewed public/private partnerships that utilized historic properties to address varied urban housing demand.

Arthur Greenblatt, President and CEO of Vesta Corporation stated the proposed project was a new type of work force housing geared toward municipal employees, teachers and people starting out. He noted this venture would comprise a local development team, including the Bristol Housing Authority, D'Amato Construction, and QA+M Architecture.

Mayor Zoppo-Sassu emphasized that this project involved market rate rents.

Council Member Barney questioned how the timeline for development would be communicated to current tenants.

Justin Malley, BDA Executive Director responded that current tenants would be kept apprised of the building process and offered assistance. He explained that the Bristol Housing Authority as a partner in this project would allow them to get involved with market rate developments and supply local knowledge.

Council Member Fortier moved and it was seconded: That the following Resolution be adopted –

BE IT HEREBY RESOLVED to name Vesta/BHA Joint Venture, or its assigns, as the preferred developer for the properties at 273 Riverside Avenue and 296 Riverside Avenue for purposes of redeveloping the properties to unsubsidized rental housing and to authorize the Office of Corporation Counsel to negotiate a Tri-Party Agreement, and any additional agreement(s), with the Connecticut Brownfield Land Bank, Inc. and Vesta/BHA Joint Venture for such housing plans and to effectuate the transfer of ownership of the properties, to address environmental remediation at 273 Riverside Avenue, and to conduct such redevelopment of the properties.

BE IT FURTHER RESOLVED that this matter be referred to the Office of Corporation Counsel for necessary action.

A roll call vote was taken.

	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Council Member Barney			
“ ” Fortier			
“ ” Hahn			
“ ” Kelley			
“ ” Rosado			
Mayor Zoppo-Sassu			

RESOLUTION ADOPTED: YES – 6; NO – 0; ABSTAIN – 0.

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7. SESSIONS TASK FORCE DISBANDED.

Mayor Zoppo-Sassu recommended disbanding the Sessions Task Force and sending them a letter of thanks.

On motion of Council Member Hahn and seconded, it was unanimously voted: To disband the Sessions Task Force and send letters of thanks to the committee members.

8. REQUEST FOR TRAFFIC SPEED COUNTERS ON REDSTONE HILL ROAD REFERRED TO POLICE TRAFFIC AUTHORITY.

Council Member Barney highlighted a zoning proposal in her district to change an existing single-family zone to a multi-family zone on Redstone Hill Road. She noted that Council Members were unable to comment on zoning matters to avoid influencing a decision. Aside from this matter, her constituents expressed concern about traffic in that neighborhood. She suggested installation of traffic speed counters to analyze the traffic.

Police Chief Gould responded that traffic feedback devices alert drivers of their speed, they collect traffic counts, and speed data.

On motion of Council Member Barney and seconded, it was unanimously voted: To refer to the Police Traffic Authority the deployment of traffic speed counters on Redstone Hill Road to determine any traffic issues.

9. ADOPTION OF CONSENT CALENDAR.

Town and City Clerk Pac stated the referral for the acceptance of Graham Street should be removed from the Consent Calendar since a Public Hearing and Assessment hearing was unnecessary for street acceptances.

On motion of Council Member Fortier and seconded, it was unanimously voted: To remove the street acceptance of Graham Street from the Consent Calendar.

On motion of Council Member Hahn and seconded, it was unanimously voted: To adopt the seven matters as part of the Consent Calendar.

10. NEW HIRE REPORT FOR DECEMBER, PLACED ON FILE.

Communication presented from the Human Resources Department.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To place on file the New Hire Report for the month of December, 2019.

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11. AUTHORIZATION FOR MAYOR TO SIGN LOTCIP GRANT FUNDING APPLICATION DOCUMENTS AND ENVIRONMENTAL PERMITS FOR RECONSTRUCTION OF WOLCOTT STREET, APPROVED.

Communication from the Director of Public Works regarding the potential State LOTCIP funding for the Wolcott Street Reconstruction.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To authorize the Mayor to sign any and all LOTCIP grant funding application documents and environmental permits associated with the reconstruction of Wolcott Street (CT Route 69 to Witches Rock Road/Fall Mountain Road).

12. APPROVAL OF TAX ASSESSMENT FREEZE APPLICATION FOR 60 HIGH, LLC FOR 60 HIGH STREET.

Recommendation presented from the Code Enforcement Committee regarding a tax assessment freeze application for 60 High Street.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To approve the Tax Assessment Freeze application for 60 High, LLC, the owner of 60 High Street, Bristol, CT for the rehabilitation of a blighted property with the restoration of two, apartment residential structures per Section 5-57 of the Bristol Code of Ordinances.

13. APPROVAL OF TAX ASSESSMENT FREEZE APPLICATION FOR RANDY HORSFALL FOR 1009 JEROME AVENUE.

Recommendation presented from the Code Enforcement Committee regarding a tax assessment freeze application for 1009 Jerome Avenue.

As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To approve the Tax Assessment Freeze application for Randy Horsfall, the owner of 1009 Jerome Avenue, Bristol, CT for the rehabilitation of a blighted property with the restoration of a single family dwelling structure per Section 5-57 of the Bristol Code of Ordinances.

14. CONTRACT 2P19-087 DEFINED CONTRIBUTION PLAN CONSULTING SERVICES WITH FIDUCIARY INVESTMENT ADVISORS, LLC \$15,000 FOR INITIAL REVIEW AND PROGRAM ADMINISTRATION AND \$25,000 ANNUAL CONSULTING FEE, APPROVED.

Communication from the Purchasing Agent regarding the City's voluntary defined contribution plans and provision of ongoing advisory services to its employees.

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As part of the Consent Calendar adoption and on motion of Council Member Hahn and seconded, it was unanimously voted: To award Contract 2P19-087 Defined Contribution Plan Consulting Services to Fiduciary Investment Advisors, LLC for an amount of \$15,000 for initial review and program administration, and \$25,000 annual consulting fee, and to authorize the Mayor or Acting Mayor to execute any necessary documents to effectuate said Contract.

15. APPROVAL TO RELEASE CODE ENFORCEMENT LIEN RECORDED ON BRISTOL LAND RECORDS VOLUME 2115 PAGE 167 AND REMOVE CHARGE FROM OWNER'S TAX BILL.

Communication from the Asst. Corporation Council Conlin regarding the release of a code enforcement lien for 25 Hidden Brook Drive.

As part of the Consent Calendar adoption and on motion of Council Member Hahn, and seconded, it was unanimously voted: To release the code enforcement lien dated August 20, 2019 and recorded in Volume 2115 Page 167 of the City of Bristol Land Records and to remove this charge from the owner's tax bill.

16. SERVICE AGREEMENT BETWEEN LEXISNEXIS VITALCHEK NETWORK INC. AND CITY OF BRISTOL FOR REMOTE DELIVERY OF VITAL RECORDS IN TOWN CLERK OFFICE WITH CREDIT OR DEBIT PAYMENT, APPROVED.

Communication from the Town and City Clerk regarding the remote delivery of vital records and payments by debit and credit card with LexisNexis VitalChek.

As part of the Consent Calendar adoption and on motion of Council Member Hahn, and seconded, it was unanimously voted: To approve the Service Agreement between LexisNexis VitalChek Network Inc. and the City of Bristol for the Bristol Town Clerk's office to provide expedited and remote delivery of vital records with credit or debit payment and authorize the Mayor or Acting Mayor to execute the Agreement, subject to Corporation Counsel review.

17. ACCEPTANCE OF GRAHAM STREET CONNECTING WEST STREET TO SUMMIT STREET REFERRED TO PLANNING COMMISSION AND BOARD OF PUBLIC WORKS FOR REVIEW.

Communication presented from the Director of Public Works regarding the acceptance of Graham Street.

On motion of Council Member Hahn and seconded, it was unanimously voted: To refer the acceptance of Graham Street (330 feet long, 15 foot right of way) connecting West Street to Summit Street to the Planning Commission and the Board of Public Works.

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18. PUBLIC HEARING SCHEDULED FOR FEBRUARY 4, 2020 REGARDING PROPOSED AMENDMENTS TO BRISTOL CODE OF ORDINANCES SEC. 18-180 THROUGH SEC. 18-204, BRISTOL DEVELOPMENT AUTHORITY.

Bristol Development Authority Commissioner Schmelder provided a brief history of the Bristol Development Authority and suggested changing the name to Economic and Community Development to better define its role in the City.

As recommended by the Ordinance Committee and on motion of Council Member Hahn, and seconded, it was unanimously voted: To authorize a Public Hearing on Tuesday, February 4, 2020 at 4:30 p.m. in the First Floor Meeting Room, City Hall, 111 North Main Street, Bristol, CT on proposed amendments to the Bristol Code of Ordinances Sec. 18-180 through Sec. 18-204 pertaining to the Bristol Development Authority and to waive the reading of the proposed amendments, but to include them as part of the minutes. The ordinance reads as follows:

Underscored text is proposed to be added. [Bracketed] text is proposed for deletion.

ARTICLE XIII. – [BRISTOL DEVELOPMENT AUTHORITY AND BRISTOL DOWNTOWN DEVELOPMENT CORPORATION] ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT

Sec. 18-180. - Repeal of prior agency.

[Former Article XIII, Bristol Redevelopment Agency,] sections 18-180 through 18-186, inclusive, of the Code of Ordinances of the City of Bristol in effect up to the adoption of this article, are repealed and the Bristol Redevelopment Agency therein established and the appointment of members thereto are terminated.

Sec. 18-181. - Establishment.

In accordance with the Connecticut General Statutes, Section 8-126, Section 8-188, Section 7-136, and Section 7-137, there is hereby established the [Bristol Development Authority] Economic and Community Development Department to perform all duties, functions and responsibilities and exercise the power under Connecticut General Statutes, Chapter 130 and 132 as amended or as the same may be amended in the future, [except for those duties, functions, responsibilities and powers assigned to the Bristol Downtown Development Corporation hereunder,] and exercise the powers under Connecticut General Statutes, Sections 7-136 and 7-137 as amended or as the same may be amended in the future. Said [Bristol Development Authority] Economic and Community Development Department shall perform all duties, functions and responsibilities previously performed by or delegated to the Bristol Economic Development Commission, the Bristol Redevelopment Agency, the office of community development, and the former Bristol Development Authority.

Sec. 18-182. - Powers and duties.

The purposes and powers of the [Bristol Development Authority] Economic and Community Development Department shall be:

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- (a) To have the duties and exercise the powers granted pursuant to Chapters 130 and 132 of the Connecticut General Statutes as amended or as the same may be amended in the future[, except for those duties, functions, responsibilities and powers assigned to the Bristol Downtown Development Corporation hereunder];
- (b) To have the duties and exercise the powers granted pursuant to Sections 7-136 and 7-137 of the Connecticut General Statutes as amended or as the same may be amended in the future;
- (c) To perform all duties and responsibilities concerned with the supervision and disposition of Redevelopment Projects, Conn. R-38, Conn. R-63, Conn. R-73 and 229 Technology Park (Middle Street Extension Project), and any other project assigned to it by the city council;
- (d) To function as the successor agency to the Bristol Redevelopment Agency and the former Bristol Development Authority in all dealings with the United States Department of Housing and Urban Development and the State Department of Economic and Community Development in connection with any urban renewal project in the City of Bristol;
- (e) To function as the successor agency to the former office of community development and the former Bristol Development Authority in the implementation and administration of the Community Development Block Grant Program after annual approval by the city council, and with the State Department of Economic and Community Development in the City of Bristol, and in all dealings with the U.S. Department of Interior and the Connecticut Department of Environmental Protection in connection with any open space and land acquisition project;
- (f) To function as the successor agency to the former Bristol Economic Development Commission, the former office of community development, and the former Bristol Development Authority in all dealings with the Connecticut Department of Economic and Community Development in connection with any industrial and business development project;
- (g) To manage, plan and supervise the planned Northwest Industrial Park and to dispose of property therein;
- (h) To have general supervisory powers, management and control over any project previously undertaken or supervised by the former economic development commission, the former Bristol Redevelopment Agency, the former office of community development, and the former Bristol Development Authority;
- (i) To coordinate, plan, supervise and manage all future city industrial/commercial development projects[, except for those duties, functions, responsibilities and powers assigned to the Bristol Downtown Development Corporation hereunder]. A development project means any project conducted by a municipality for the assembly, improvement and disposition of land or buildings or both to be used principally for industrial or business purposes and includes vacated commercial plants which are buildings formerly used principally for business or industrial purposes of which more than fifty (50) percent of the usable floor space is, or which is anticipated, within eighteen (18) months, shall be, unused or substantially underutilized;

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- (j) To seek appropriation for its necessary expenses, appoint, hire and employ employees necessary for the discharge of its duties, in accordance with the usual personnel and financial practices of the City of Bristol[. Current personnel of the abolished and consolidated agency shall remain as employees under the direction of the Bristol Development Authority until said authority establishes a permanent organizational structure];
- (k) To dispose of any real property transferred to it or acquired by it. It shall be exempt from competitive bidding purchasing procedures of the city as said procedures relate to the sale of real property by the city;

The [Bristol Development Authority] Economic and Community Development Department shall solicit proposals for the sale, lease or transfer of any building and/or real property, and shall advertise the availability of any parcel in a newspaper of general circulation in the City of Bristol and a newspaper of general circulation in the State of Connecticut. The [authority] Economic and Community Development Department shall be required to inquire into the financial status of any firm or individual selected to purchase land, and shall transmit the financial data to the city council.

- (l) To acquire real property by purchase, lease, exchange or gift or by eminent domain with the approval of the City Council pursuant to the provisions of Sections 8-128 and 8-193 of the Connecticut General Statutes[, except for those acquisitions by the Bristol Downtown Development Corporation hereunder];
- (m) To function as a housing site development agency in dealings with the State Department of Economic and Community Development;
- (n) To function as the successor agency to the Bristol Redevelopment Agency and the former Bristol Development Authority.

Sec. 18-183. - Appointment.

The [Bristol Development Authority] Economic and Community Development Department shall be composed of nine (9) resident electors of the city, to be appointed by the mayor with approval of the city council. The mayor and one (1) member of the city council shall be members, whose term of appointment to the [Bristol Development Authority] Economic and Community Development Department shall coincide with the member's council term. Two (2) of the remaining members shall be initially appointed to serve a one-year term, two (2) shall be initially appointed to serve a three-year term, two (2) shall be initially appointed to serve a four-year term and one (1) shall be initially appointed to serve a five-year term. After initial appointment, all appointments of noncouncil members shall be for five (5) years. Any vacancy shall be filled for the unexpired term by the appointment of the mayor with the approval of the city council.

Sec. 18-184. - Director.

There shall be an executive director of the [Bristol Development Authority] Economic and Community Development Department, who shall be nominated by the mayor and appointed by the city council. The director shall serve for a four-year term. During the course of any term, the director may only be removed for cause by majority vote of the city

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council and by the affirmative vote of the [Bristol Development Authority] Economic and Community Development Department in accordance with section 18-185.

Sec. 18-185. - Voting.

Action by the [Bristol Development Authority] Economic and Community Development Department shall be taken only on a majority vote of all members of the authority. Five (5) members shall constitute a quorum of the board.

Sec. 18-186. - Compensation.

Members of the [Bristol Development Authority] Economic and Community Development Department shall serve without compensation, but may be reimbursed for necessary expenses in accordance with city ordinances and regulations.

Sec. 18-187. - Officers.

A chairperson, vice-chairperson and a secretary shall be elected by the members of the [Bristol Development Authority] Economic and Community Development Department from among their members.

Sec. 18-188. - Meetings.

The [Bristol Development Authority] Economic and Community Development Department is empowered to determine the time and place of its meetings and agenda.

Sec. 18-189. - Partisan representation.

No more than six (6) members of the [Bristol Development Authority] Economic and Community Development Department shall be members of the same political party. The mayor and city council person who are members of the [Bristol Development Authority] Economic and Community Development Department shall not be from the same political party unless the mayor and all council persons are members of the same political party.

Sec. 18-190. - Removal of member for absenteeism.

Absence of members from regularly scheduled meetings of the [Bristol Development Authority] Economic and Community Development Department shall be cause for removal in accordance with section 2-9 of the Code of Ordinances of the City of Bristol, or as the same may be amended in the future. The resulting vacant position shall be filled by appointment of the mayor with approval of the city council, in accordance with the provisions of section 18-183, within forty-five (45) days of removal.

Sec. 18-191. - Financial reports.

The [Bristol Development Authority] Economic and Community Development Department shall submit quarterly financial reports to the city council, detailing the status of each development project.

Sec. 18-192. - Downtown Bristol Tax Increment Financing District.

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- (a) *Purpose.* The Connecticut General Statutes Chapter 105b (the "Act") authorizes municipalities in Connecticut to create tax increment financing ("TIF") districts for the purpose of incentivizing economic development and infrastructure, and supporting employment, housing, economic growth and other projects.
- (b) *Findings and determinations.* The city council hereby finds and determines that:
- (1) The establishment of the Downtown Bristol Tax Increment Financing District (the "district"), the boundaries of which are included in the Downtown Bristol Tax Increment District Master Plan ("district master plan") in the form submitted to the city council, and as on file with the [Bristol Development Authority] Economic and Community Development Department, will not be in conflict with the provisions of the City Charter;
 - (2) The creation of the district and the district master plan will contribute to the economic growth and well-being of the city;
 - (3) The real property within the district is suitable for commercial, residential, mixed use, retail and downtown development; and
 - (4) As shown in the district master plan, the original assessed value of the taxable real property within the district does not exceed ten (10) percent of the total value of taxable real property within the city as of October 1, 2017.
- (c) The city council hereby authorizes creation of the Downtown Bristol Tax Increment Financing District, the boundaries of which are included in the Downtown Bristol Tax Increment District Master Plan ("District Master Plan"), and adopts the district master plan in the form submitted to the city council, and as on file with the [Bristol Development Authority] Economic and Community Development Department.
- (d) The city council hereby authorizes that seventy-five (75) percent of the future increased assessed property values within the district shall be retained as captured assessed value in accordance with the district master plan and up to one hundred (100) percent of the real property tax revenues generated from such captured assessed value may be used to fund the various costs and improvements set forth in the district master plan.
- (e) The mayor of the City of Bristol is hereby authorized and may enter into, in the name and on behalf of the city, such credit enhancement agreements as may be contemplated by the district master plan with such property owners and applicants as may fall within the scope and policies outlined in the district master plan, such agreements to be in such form and to contain such terms and provisions, not inconsistent with the district master plan, as the city council may approve.
- (f) The district master plan may be amended from time to time by the city council as the legislative body of the city.

Secs. 18-193—18-199. - Reserved.

ARTICLE XIV. - ENTERPRISE ZONE ASSESSMENTS

Sec. 18-200. - Fixing of residential assessments in enterprise zones.

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- (a) Assessments on all residential real property which is improved and which is located in an enterprise zone as designated by the city and approved by the commissioner of economic development, shall be fixed during the period when such area is designated as an enterprise zone. Such fixed assessment shall be for a period of seven (7) years from the time of such improvement and shall defer any increase in assessment attributable to such improvements according to the following schedule:

Percentage of Year increase deferred

First 100
 Second 100
 Third 50
 Fourth 40
 Fifth 30
 Sixth 20
 Seventh 10

- (b) There shall be a benefit floor. Only projects meeting minimum expenditures or scope of work for that zoning or use designation shall receive the assessment benefit herein.

Single-family residential. Thirty-five thousand dollars (\$35,000.00) spent on the complete retrofitting of the home and bringing all aspects up to code, whichever is less. Retrofitting and code improvements are defined in section 18-202(c).

Multifamily residential. Twenty thousand dollars (\$20,000.00) per unit with all units being upgraded or the complete retrofitting of the apartments, improved or retrofitted, whichever is less.

Sec. 18-201. - Fixing and deferral of commercial assessments on real property within the enterprise zone and the rehabilitation areas.

- (a) In accordance with provisions of Connecticut General Statutes [Section] 32-71, the assessments on all commercial real property in the said enterprise zone which is improved during the period when such area is designated as an enterprise zone, shall be fixed each year in accordance with a seven-year assessment deferral schedule dating from the time of such improvements with increases in assessments attributable to such improvements deferred as per the following schedule:

Percentage of Year increase deferred

First 100
 Second 100
 Third 50
 Fourth 40
 Fifth 30
 Sixth 20
 Seventh 10

- (b) There shall be a benefit floor. Only projects meeting minimum expenditures or scope of work for that zoning or use designation shall receive the assessment benefit herein.

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Commercial. The cost of complete renovation of a facade to [BDA] Economic and Community Development Department standards including siding and roofing (to be approved in advance by the [BDA] Economic and Community Development Department staff), or one hundred seventy-five thousand dollars (\$175,000.00) spent. Eligible improvements are defined in section 18-202(c).

Sec. 18-202. - Fixing and deferral of industrial assessments on real property within the enterprise zone and the rehabilitation areas.

- (a) Improvements of any real property which qualifies as a manufacturing facility under Section 32-9p(d) of the General Statutes shall be eligible for any fixed assessment pursuant to Section 32-9p-5.
- (b) There shall be a benefit floor. Only projects meeting minimum expenditures or scope of work for that zoning or use designation shall receive the assessment benefits herein.

Industrial. The cost of renovation necessary to bring manufacturing buildings to code and ready for substantial use, or one hundred thousand dollars (\$100,000.00) spent, or two hundred fifty thousand dollars (\$250,000.00), spent in demolition and/or environmental review and remediation by the owner.

(c) Eligible improvements include repair, upgrade, or replacement of:

- (1) Roofing; siding (except external insulation systems at grade level such as Drivet or other brand names, or that which obscures the architectural detail of a building); windows; flooring; painting; porches; decks; kitchen replacement; wiring; heating, ventilation and cooling; insulation; paving (except sidewalks); lead paint or asbestos abatement or removal; masonry and foundations; plumbing; and bathrooms.
- (2) The [Bristol Development Authority] Economic and Community Development Department or its designee shall be the final arbiter of qualifications of work to be performed.
- (3) Individuals and companies seeking abatements shall submit plans with their enterprise zone application to the [BDA] Economic and Community Development Department within thirty (30) days of submitting their building permit application. Along with a site plan, there should be drawings of elevations or improvements. A narrative of work to be performed should include a description of current conditions and all work to be performed including materials to be used. The need for professional drawings may be waived if a written description and photographs can clearly illustrate work to be performed. Any project issued a building permit on or after November 1, 1994 and before final state designation shall have until September 30, 1995 to apply.
- (4) Revisions to the dollar value of the benefit floors contained herein should be reviewed periodically and may be changed by a majority resolution of the city council.

Sec. 18-203. - Termination of said fixed residential and commercial assessments or adjustments thereto.

- (a) Any such fixed assessment shall cease as to:

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- (1) Any residential rental property, in any dwelling unit if such property is rented to any person whose income exceeds two hundred (200) percent of the median family income of the city; or
 - (2) Any conversion condominium declared after the designation of the enterprise zone if any unit is sold to any person whose income exceeds two hundred (200) percent of the median family income of the city.
- (b) In the event of a general revaluation by the city in the year in which such improvement is completed, resulting in any increase in the assessment on such property, only that portion of the increase resulting from such improvement shall be deferred. In the event of a general revaluation in any year after the year in which such improvement is completed, such deferred assessment shall be increased or decreased in proportion to the increase or decrease in the total assessment on such property as a result of such revaluation.
 - (c) No improvements of any real property which qualifies as a manufacturing facility under Section 32-9p(d) of the General Statutes shall be eligible for any fixed assessment pursuant to sections 18-200 and 18-201 of this article.
 - (d) If the taxes on the property are not paid within sixty (60) days of payment due date, any remaining exemption granted under this article shall cease.
 - (e) Assessment deferral shall only be granted after confirmation of expenditures and/or completion of work by the [BDA] Economic and Community Development Department and other applicable entities.
 - (f) Failure of residential property owner to maintain the property in accordance with the standards of the housing code in the city shall constitute reason to cease deferral under this section. Owners of residential rental property or condominium conversions must submit to the city, an affidavit for each rental or condominium unit the occupants (rental property) or owner's (condominium) full name and gross income in the previous tax year. In order to maintain eligibility rental property owners must submit income affidavits annually before September 1.
 - (g) Any owner of real property who agrees to rehabilitate such property or construct new multi-family rented housing or cooperative housing on such property located in the rehabilitation area herein designated may, in accordance with provisions of Section 12-65e of General Statutes, make application to the city for an agreement to fix the assessment on the property, during the period not to exceed three (3) years of rehabilitation or construction and for a deferral of any increase in assessment attributable to such rehabilitation or construction for a period not to exceed ten (10) years, after completion of such rehabilitation and/or construction. Such agreements shall be subject to all conditions and constraints contained in Sections 12-65d, 12-65e, and 12-65f of the Connecticut General Statutes.
 - (h) The municipality may provide any additional tax abatements or deferrals as it deems necessary for any property located in such an enterprise zone.
 - (i) Benefits available under other abatement programs under the City-Town Development Act shall not be combined with this program.

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- (j) When a property is transferred, any remaining abatement made under provisions of this article shall remain with the property.

Sec. 18-204. - Administration of the enterprise zone and rehabilitation area attendant thereto.

- (a) The mayor is hereby authorized and empowered to:
- (1) Designate the appropriate city officers, appointees, agencies and departments to administer the provision of the article and applicable state law and regulations.
 - (2) To enter into contracts, in accordance with Section 12-65e of the Connecticut General Statutes with appropriate parties for the fixing of tax assessments on the improvements to qualifying properties in keeping with the intent of the state statutes.
 - (3) To request, petition and appeal to local governing bodies, to the State of Connecticut and the U.S. Government for the suspension or waiver of local, state or federal regulations or rules affecting residents or enterprises located within the enterprise zones when he determines that such suspension or waiver is consistent with intent of state law and this article and the suspension or waiver does not contravene the statutory authority of that body.
 - (4) To enter into contracts subject to the approval of the city council with appropriate third party agencies, non-profit developers, and consultants and to engage employees and agents to enter into inter-agency agreements in accordance with the charter, ordinances, rules and regulations of the city for the efficient and timely prosecution of the intent of this enactment.
 - (5) Recommend that the [Bristol Development Authority] Economic and Community Development Department, zoning, inland wetlands and the planning commissions, develop and adopt design standards appropriate to downtown/residential development and to designate types of qualifying improvements to better effect the goals of the enterprise zone.
 - (6) The provisions of this article as it deals with the enterprise zone in Bristol as designated shall be deemed effective as of November 1, 1994.

19. PUBLIC HEARING SCHEDULED FOR FEBRUARY 4, 2020 REGARDING PROPOSED AMENDMENTS TO BRISTOL CODE OF ORDINANCES SEC. 16-3 THROUGH SEC. 16-8, TOBACCO PRODUCTS PROHIBITED IN CITY PARKS AND RECREATION PROPERTIES.

As recommended by the Ordinance Committee and on motion of Council Member Hahn, and seconded, it was unanimously voted: To authorize a Public Hearing on Tuesday, February 4, 2020 at 4:40 p.m. in the First Floor Meeting Room, City Hall, 111 North Main Street, Bristol, CT on proposed amendments to the Bristol Code of Ordinances Sec. 16-3 through Sec. 16-8, Tobacco products prohibited in city parks and recreational properties and to waive the reading of the proposed amendments, but to include them as part of the minutes. The ordinance reads as follows:

Underscored text is proposed to be added. [Bracketed] text is proposed for deletion.

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[Sec. 16-3. - Penalties.

Any person violating any provision of this article shall be guilty of an infraction and be penalized ninety dollars (\$90.00) as provided for in section 1-11 of this Code.]

Sec. 16-3. Tobacco Products Prohibited in City Parks and Recreational Properties

It shall be prohibited, at all times, for an individual to smoke and/or use any tobacco product in any form while at a city park or recreational property.

Sec. 16-4. Signage.

City parks or recreational properties, where smoking and/or tobacco use has been banned pursuant to this chapter shall be so designated by posted signs.

Sec. 16-5. Enforcement.

Members of the City of Bristol's Police Department shall be charged with the enforcement of this chapter. Such officer of the department shall inform the violator of this chapter and take enforcement action when a violation has occurred.

Sec. 16-6. [Penalty] Citations.

Law enforcement officers may issue a citation for violation of this chapter pursuant to Section 1-11 of the City of Bristol Code of Ordinances.

Sec. 16-7. Definitions.

As used in this chapter, the following terms shall have the meaning indicated:

"ENFORCEMENT." All law enforcement officers of the City of Bristol.

"PARK OR RECREATIONAL PROPERTY." Property owned or operated by the City of Bristol and used in connection with recreational programs or purposes, including, but not limited to, sports or athletic fields and facilities, parks, pocket parks, parking lots, pools, playgrounds, bike or walking paths, dog parks, bleachers, gardens, passive recreation areas, tennis courts, trails and other areas where people may assemble for recreational purposes, and any community, recreation or building located on park or recreation property.

"TOBACCO PRODUCT." The use of any substance containing tobacco or any tobacco product in all of its forms, including, but not limited to a lighted cigarette, cigar, pipe, or similar device, such as all electronic cigarettes (e-cig, e-hookah, vape pen, electronic nicotine delivery system), as well as chew tobacco, snus and snuff, as well as any product of formulation of matter containing biologically active amounts of nicotine that is manufactured, sold or offered for sale or otherwise distributed with the expectation that the product or matter will be introduced into the human body but does not include any product

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specifically approved by the United States Food and Drug Administration for use in treating nicotine or tobacco dependence.

Sec. 16-8. - Penalty.

Any person violating any provision of this article shall be guilty of an infraction and be penalized ninety dollars (\$90.00) as provided for in section 1-11 of this Code.

[Secs. 16-[4] 9—16-15. - Reserved.]

20. APPROVAL OF LEASE AGREEMENT WITH EXTERIOR TRIM SPECIALTIES, LLC FOR CITY OWNED PROPERTY AT 296 RIVERSIDE AVENUE.

On motion of Council Member Hahn and seconded, it was unanimously voted: To bring on the table an item from the Real Estate Committee regarding a lease at 296 Riverside Avenue.

Mayor Zoppo-Sassu stated the long term tenant at 296 Riverside Avenue was asked to vacate the property in preparation of the Sessions property redevelopment. In the interim, Exterior Trim Specialties was interested in entering into a month to month lease which would provide income to the City.

As recommended by the Real Estate Committee and on motion of Council Member Hahn and seconded, it was unanimously voted: That that the City of Bristol enter into a Rental/Lease by and between the City of Bristol (“Landlord”) and Exterior Trim Specialties, LLC (“Tenant”) for City owned property known as 296 Riverside Avenue, Bristol, Connecticut. The lease shall be a month to month tenancy. The total rent paid by the Tenant shall be \$600 per month and the property shall only be utilized for storage by the Tenant. The lease shall contain a 60-day termination clause. It was also voted to refer this matter to the Corporation Counsel to prepare and/or review any necessary documents and to authorize the Mayor or Acting Mayor to execute any necessary documents to effectuate the same.

21. CREATION OF CHARTER REVISION COMMISSION, ADOPTED.

Mayor Zoppo-Sassu stated the Charter Revision Commission would be empowered to perform their duties over nearly 16 months to allow a substantive review of the Charter. Their report would be on schedule for the November, 2021 ballot which is more appropriate for municipal action items, rather than a Presidential year.

Council Member Kelley moved and it was seconded: That the following Resolution be adopted –

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BE IT HEREBY RESOLVED that pursuant to authority contained in Section 7-187 through 7-190 of the Connecticut General Statutes, the City Council of the City of Bristol hereby creates a Charter Revision Commission to consist of seven electors to be nominated by the Mayor and confirmed by the City Council, provided that no more than one-third (1/3) of whom may hold any other public office in this City and not more than a bare majority of whom shall be members of any one political party. Said Commission is hereby directed to make its draft report to the appointing authority on or before April 13, 2021.

A roll call vote was taken.

<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Council Member Barney		
“ ” Fortier		
“ ” Hahn		
“ ” Kelley		
“ ” Rosado		
Mayor Zoppo-Sassu		

RESOLUTION ADOPTED: *YES – 6; NO – 0; ABSTAIN – 0.*

22. RESIGNATIONS.

The following resignations were presented:

*Sara Mangiafico, Board of Fire Commissioners.
Dennis Sirianni, City Energy Commission.
Donna Papazian, Board of Library Directors.
William Cunningham, Zoning Commission.
David White, Planning Commission.*

On motion of Council Member Fortier and seconded, it was unanimously voted: To place on file the resignations and send letters of thanks.

23. APPOINTMENTS.

The following appointments were presented:

CITY ENERGY COMMISSION

John Ferraro – Appointment – unexpired term to January, 2022.
Replaced Dennis Sirianni.
Confirming motion by Council Member Fortier.
Motion passed in voice vote.

BOARD OF FIRE COMMISSIONERS

Dennis Crispino – Appointment – term to January, 2023.
Replaced Sara Mangiafico.
Confirming motion by Council Member Fortier.
Motion passed in voice vote.

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Josh Zachary Blackler – Reappointment – term to January, 2023.

Confirming motion by Council Member Hahn.

Motion passed in voice vote.

BRISTOL HISTORIC DISTRICT COMMISSION

Camerin Crowal, alternate member – Appointment – term to January, 2025.

Replaced Brittany Barney.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

BOARD OF LIBRARY DIRECTORS

Valina Carpenter – Reappointment – term to January, 2023.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

Andrea Kapchensky – Reappointment – term to January, 2023.

Confirming motion by Council Member Hahn.

Motion passed in voice vote.

Nicholas Jakubowski – Reappointment – term to January, 2023.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

LaCea Stewart-Roman – Appointment – unexpired term to January, 2022.

Replaced Donna Papazian.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

PLANNING COMMISSION

Tracey Bacchus, alternate member – Appointment – unexpired term to July 31, 2023.

Replaced David White.

Confirming motion by Council Member Hahn.

Motion passed in voice vote.

BRISTOL TRANSPORTATION COMMISSION

Donald Padlo – Reappointment – term to January, 2023.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

Dave Hartley, Senior Citizen at Large – Reappointment – term to January, 2023.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

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ZONING COMMISSION

David White, regular member – Appointment – unexpired term to June, 2021.
 Replaced William Cunningham.
 Confirming motion by Council Member Fortier.
 Motion passed in voice vote.

CHARTER REVISION COMMISSION

Jon FitzGerald
 Jonathan Mace
 John LaFreniere
 John Krampitz
 Laurie Ann Scotti
 Richard Carter
 Roman Czuchta
 Confirming motion by Council Member Fortier.
 Motion passed in voice vote.

24. SENIOR VOLUNTEER TAX RELIEF PILOT PROGRAM FOR 2019-2020, ADOPTED.

Communication from the Director of Department of Aging regarding the Senior Volunteer Tax Relief Program.

Council Member Fortier moved and it was seconded: That the following Resolution be adopted and to waive the reading of the Resolution, but to include it as part of the minutes.

The Resolution reads as follows –

BE IT RESOLVED that in order to promote the goals of scientific, educational, literary, historical, governmental, charitable and non-profit entities located in the City of Bristol by drawing upon the skills, knowledge and experience of its senior citizens, the City Council of the City of Bristol hereby establishes a Senior Volunteer Tax Relief Pilot Program for senior citizens who choose to donate their time, talent and experience by volunteering to provide services to such entities as follows:

- A. Qualifying senior citizens who volunteer to provide services to qualifying scientific, educational, literary, historical, governmental, charitable and non-profit entities located in the City of Bristol shall be eligible for a tax credit on their real property tax bills in accordance with the provisions hereof. In order to qualify for the benefits of the senior citizens volunteer tax relief pilot program, taxpayers must be age 65 or older, own real property in the City of Bristol, must occupy the property as a principal residence and must have an annual gross income of not more than \$45,000 single, or \$50,000 couple, not including Social Security. Participating senior citizens may earn an annual tax credit of \$300.00 per household by performing a minimum of 50 hours of volunteer service in a fiscal year to qualified non-profit entities.

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- B. The program shall apply to volunteer work performed in fiscal year 2019-2020 and after, in accordance with the provisions of this Resolution and the guidelines and policies referred to in paragraph D. The tax credit shall be applied to the tax bill due July 1 following the fiscal year in which the work is performed.
- C. The tax credits earned by the participants in the Senior Volunteer Tax Relief Pilot Program shall not exceed \$24,000 in a fiscal year on a first-come first-serve basis.
- D. The Assessor and Senior Center Executive Director shall develop guidelines and policies to administer the Senior Volunteer Tax Relief Pilot Program, including guidelines for qualifications for participating seniors and participating nonprofit entities, and for timing and form of applications.
- E. The City Council shall review and evaluate the Senior Volunteer Tax Relief Pilot Program after one year from the date of its approval.

A roll call vote was taken.

<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Council Member Barney		
“ ” Fortier		
“ ” Hahn		
“ ” Kelley		
“ ” Rosado		
Mayor Zoppo-Sassu		

RESOLUTION ADOPTED: *YES – 6; NO – 0; ABSTAIN – 0.*

25. AUTHORIZATION FOR MAYOR TO SIGN LOTCIP GRANT FUNDING APPLICATION TO CONSTRUCT CONCRETE SIDEWALKS ON SHRUB ROAD AND A PORTION OF JEROME AVENUE, APPROVED.

Communication from the Director of Public Works regarding the installation of sidewalks on Shrub Road and a portion of Jerome Avenue.

On motion of Council Member Barney and seconded, it was unanimously voted: To authorize the Mayor to sign any and all LOTCIP grant funding applications to construct concrete sidewalks on Shrub Road and a portion of Jerome Avenue (Shrub Road to Stevens Street).

26. AWARD OF TAX ABATEMENT TO TABACCO & SONS BUILDERS, INC. TO PURCHASE AND RELOCATE TO 126 BURLINGTON AVENUE, APPROVED.

Recommendation presented from the Bristol Development Authority regarding a tax abatement for Tabacco & Sons Builders, Inc. for 126 Burlington Avenue.

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On motion of Council Member Barney and seconded, it was unanimously voted: To approve a real property tax assessment fixing agreement for Tabacco & Sons Builders, Inc. – or its assigns – contingent on its purchase and occupancy of 126 Burlington Avenue. Said property tax assessment fixing agreement shall be subject to conditions identified in C.G.S. Sec. 12-65b and shall take the following form: Tabacco & Sons Builders, Inc. – or its assigns – shall receive a five-year, 80% tax abatement on the real property occupied at 126 Burlington Avenue. In the event Tabacco & Sons Builders, Inc. – or its assigns – vacates 126 Burlington Avenue, any tax abatement agreement associates with the property will cease.

27. EXECUTIVE SESSIONS TO DISCUSS MATTER OF JAY KOLAKOSKI VS. CITY OF BRISTOL, WCC #601081369; CITY OF BRISTOL VS. COPPERMINE PROPERTIES, LLC, ET AL, DOCKET NO. HHB-CV-16-6035457-A; AND MATTER OF THOMAS LAVIGNE VS. CITY OF BRISTOL, WCC #601059823.

At 8:26 p.m., on motion of Council Member Fortier and seconded, it was unanimously voted: To convene into Executive Sessions regarding the matter of Jay Kolakoski vs. City of Bristol, WCC #601081369; the matter of the City of Bristol vs. Coppermine Properties, LLC, et al, Docket No. HHB-CV-16-6035457-A; and matter of Thomas Lavigne vs. City of Bristol, WCC #601059823.

Present to discuss the matter of Jay Kolakoski vs. City of Bristol, WCC #601081369: Mayor Zoppo-Sassu; Council Members Barney, Fortier, Hahn, Kelley, and Rosado; Corporation Counsel Clift; Assistant Corporation Counsel Conlin, Assistant Corporation Counsel Lacey, and Assistant Corporation Counsel Steeg.

Present to discuss the matter of the City of Bristol vs. Coppermine Properties, LLC, et al, Docket No. HHB-CV-16-6035457-A: Mayor Zoppo-Sassu; Council Members Barney, Fortier, Hahn, Kelley, and Rosado; Corporation Counsel Clift; Assistant Corporation Counsel Conlin, Assistant Corporation Counsel Lacey, and Assistant Corporation Counsel Steeg.

Present to discuss the matter of Thomas Lavigne vs. City of Bristol, WCC #601059823: Mayor Zoppo-Sassu; Council Members Barney, Fortier, Hahn, Kelley, and Rosado; Corporation Counsel Clift; Assistant Corporation Counsel Conlin, Assistant Corporation Counsel Lacey, and Assistant Corporation Counsel Steeg; and Attorney Eric Bartlett.

Discussion was held. No votes were taken.

At 8:34 p.m., on motion of Council Member Rosado and seconded, it was unanimously voted: To reconvene into Public Session.

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28. APPROVAL OF FULL AND FINAL SETTLEMENT OF \$125,000 IN MATTER OF JAY KOLAKOSKI VS. CITY OF BRISTOL, WCC#601081369.

On motion of Council Member Rosado and seconded, it was voted: That the City of Bristol enter into a full and final settlement in the matter of Jay Kolakoski vs. City of Bristol, WCC#601081369 in consideration of a payment of \$125,000, to authorize the Corporation Counsel or Assistant Corporation Counsel to execute any necessary documents to effectuate the settlement, and to refer this matter to the Board of Finance for any necessary funding.

29. APPROVAL TO ENTER SETTLEMENT OF \$25,000 IN MATTER OF CITY OF BRISTOL VS. COPPERMINE PROPERTIES, LLC, ET AL, DOCKET NO. HHB-CV-16-6035457-S.

On motion of Council Member Fortier and seconded, it was voted: That the City of Bristol enter into a settlement in the matter of City of Bristol vs. Coppermine Properties, LLC, et al, Docket No. HHB-CV-16-6035457-S in consideration of a payment by the defendant of \$25,000 and to authorize the Corporation Counsel or Assistant Corporation Counsel to execute any necessary documents to effectuate the settlement.

30. APPROVAL OF FULL AND FINAL SETTLEMENT OF \$100,000 IN MATTER OF THOMAS LAVIGNE VS. CITY OF BRISTOL, WCC#601059823.

On motion of Council Member Barney and seconded, it was voted: That the City of Bristol enter into a full and final settlement in the matter of Thomas Lavigne vs. City of Bristol, WCC#601059823 in consideration of a payment of \$100,000. It was also voted to authorize the Corporation Counsel, Assistant Corporation Counsel, or McGann, Bartlett and Brown as Counsel for the City of Bristol to execute any necessary documents to effectuate the settlement and to refer this matter to the Board of Finance for any necessary funding.

31. ADJOURNMENT.

At 8:37 p.m., on motion of Council Member Hahn and seconded, it was unanimously voted: To adjourn.

ATTEST: _____
Therese Pac
Town & City Clerk