

MARCH 12, 2019

The meeting of the City Council was held on March 12, 2019 in the City Hall Council Chambers, 111 North Main Street at 7:02 p.m. Present: Mayor Zoppo-Sassu; Council Members Fortier, Hahn, Kelley, Mills, Preleski and Rosado.

1. MOMENT OF REFLECTION FOR GILLES ANGERS AND OTHER VOLUNTEERS WHO RECENTLY PASSED AWAY.

Mayor Zoppo-Sassu requested a Moment of Silence for Gilles Angers who served on the Zoning Board of Appeals and for other volunteers who have recently passed away.

2. APPROVAL OF MINUTES OF SPECIAL CITY COUNCIL MEETINGS ON FEBRUARY 13, 2019 AND FEBRUARY 21, 2019.

On motion of Council Member Mills and seconded, it was unanimously voted: To approve the minutes of the special City Council meetings on February 13, 2019 and February 21, 2019.

3. PUBLIC PARTICIPATION.

Tammy Kelly, host family coordinator provided an overview of the host family program of the Bristol Blues.

Jennifer Smith, service unit manager for the Bristol and Forestville Girls Scouts in Connecticut announced they were celebrating the 107th anniversary of the Girls Scouts organization. She summarized their history and the community activities the local troops participate in and stated that on May 4th they were holding a mass bridge ceremony in Hartford and a leaders' appreciation dinner on May 31st.

Brian Cohen, 284 Willimantic Road, Chaplin, announced that the legacy of Andrew McClain exhibit would be touring the State.

Rich Miskell, 8 Long Lane, spoke about the Meals for Neighbors, a soup kitchen hosted by the Zion Lutheran Church. Their insurance company was requiring installation of a commercial range hood in the soup kitchen. He explained that funding this would be difficult for the congregation and inquired about possible funding by the City.

4. RECOGNITION FOR CITY HALL CUSTODIAL STAFF.

Mayor Zoppo-Sassu extended appreciation to the City Hall custodial staff for their efforts in keeping City Hall clean in light of a reduced workforce.

MARCH 12, 2019

5. ADOPTION OF CONSENT CALENDAR.

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

6. NEW HIRE REPORT FOR FEBRUARY, PLACED ON FILE.

Communication presented from the Human Resources Department.

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

7. MOTOR VEHICLE, PERSONAL PROPERTY AND REAL ESTATE TAX REFUNDS IN AMOUNT OF \$13,549.90, APPROVED.

Request presented from the Tax Collector.

As part of the Consent Calendar adoption and on motion of Council Member Mills and seconded, it was unanimously voted: To approve the Tax Refunds as follows –

Motor Vehicle		\$ 7,923.01
Personal Property		41.19
Real Estate		<u>5,585.70</u>
	Total	\$ 13,549.90

8. ACCEPTANCE OF HOPE STREET REFERRED TO PLANNING COMMISSION AND BOARD OF PUBLIC WORKS FOR REVIEW.

Communication from Public Works Director regarding the acceptance of Hope Street as a City Street.

As part of the Consent Calendar adoption and on motion of Council Member Mills and seconded, it was unanimously voted: To refer the acceptance of Hope Street to the Planning Commission and Board of Public Works for review.

9. RECOMMENDATION FROM PLANNING COMMISSION REGARDING STREET ACCEPTANCE OF STURBRIDGE COURT, PLACED ON FILE.

Recommendation presented from the Planning Commission regarding the street acceptance of Sturbridge Court.

As part of the Consent Calendar adoption and on motion of Council Member Mills and seconded, it was unanimously voted: To place on file the recommendation from the Planning Commission that the City of Bristol approve the street acceptance of Sturbridge Court, described as, fifty feet in width and running in a westerly direction from Jerome Avenue approximately 745 feet to and including the cul-de-sac with connecting curves at intersections

MARCH 12, 2019

as a public highway and to be so named. The maintenance bond of \$7,000 will be retained by the City for one year.

10. APPROVAL OF GRANT APPLICATION TO MAIN STREET COMMUNITY FOUNDATION FOR AN ARTS IN THE PARK CELEBRATION IN CONJUNCTION WITH FIRST SUMMER CONCERT ON JUNE 24, 2019.

Communication presented from the Grants Administrator regarding a grant application for Arts in the Park celebration in conjunction with the first Summer Concert on June 24, 2019.

As part of the Consent Calendar adoption and on motion of Council Member Mills and seconded, it was unanimously voted: To approve the submission of a grant application to the Main Street Community Foundation for the Bristol Parks and Recreation Department to host an Arts in the Park celebration in conjunction with the first Summer Concert on June 24, 2019, to authorize the Mayor or Acting Mayor to execute any and all documents associated with the application/grant, and to refer the matter to the Board of Finance for any necessary action.

11. STORM EASEMENT RELEASE FOR 179 MAXINE ROAD REFERRED TO DEPARTMENT OF PUBLIC WORKS, BOARD OF PUBLIC WORKS, WATER DEPARTMENT AND WATER POLLUTION CONTROL FOR CONSIDERATION.

Communication presented from Asst. Corporation Counsel Conlin regarding the release of a storm easement on 179 Maxine Road.

As part of the Consent Calendar adoption and on motion of Council Member Mills and seconded, it was unanimously voted: To refer to the Department of Public Works, the Board of Public Works, the Water Department, and Water Pollution Control for consideration the release of a Storm Easement on 179 Maxine Road and to refer back to the City Council with recommendations, if any.

12. APPROVAL OF GRANT APPLICATION TO MAIN STREET COMMUNITY FOUNDATION FOR OPERATION: HALO (ALTERNATIVES FOR LITTLE ONES).

Communication presented from School Readiness Grant manager regarding the grant application to the Main Street Community Foundation for the support of Operation: HALO (Alternatives for Little Ones).

As part of the Consent Calendar adoption and on motion of Council Member Mills and seconded, it was unanimously voted: To approve the submission of a grant application to the Main Street Community Foundation for the support of Operation: HALO (Alternatives for Little Ones) for \$4,787.60 and to authorize the Mayor or Acting Mayor to execute any necessary documents regarding the grant application.

MARCH 12, 2019

13. EXCLUSIVE RIGHT TO SELL LISTING CONTRACT WITH KELLER WILLIAMS REALTY TO SELL LOT 35D AND LOT 35C GLENN STREET, APPROVED.

Recommendation presented from the Real Estate Committee regarding the Exclusive Right to Sell Listing Contract with Keller Williams Realty for Lot 35D Glenn Street and Lot 35C Glenn Street.

As recommended by the Real Estate Committee and on motion of Council Member Preleski, Chrm., and seconded, it was unanimously voted: That the City of Bristol enter into an Exclusive Right to Sell Listing Contract with Keller Williams Realty for the properties known as Lot 35D Glenn Street and Lot 35C Glenn Street. Said Listing Agreement to commence on March 12, 2019. It was further voted that this matter be referred 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.

14. APPROVAL FOR BRISTOL CHAMBER OF COMMERCE TO USE LOT 8-1 EAST MAIN STREET FOR PARKING MAY 5, 2019 FOR DUCK RACE.

As recommended by the Real Estate Committee and on motion of Council Member Mills and seconded, it was unanimously voted: To grant permission to the Bristol Chamber of Commerce to use property on Assessor's Map 41, Lot 8-1 East Main Street for parking on May 5, 2019 from 8:00 a.m. to 7:00 p.m. for their annual Duck Race. It was also voted to refer this matter to the Department of Public Works to determine the appropriate location of the event on the property, to the Corporation Counsel's Office for insurance compliance, and to authorize the Mayor, or Acting Mayor to execute any necessary documents to effectuate the same.

15. PUBLIC HEARING SCHEDULED FOR MARCH 20, 2019 REGARDING PROPOSED AMENDMENTS TO BRISTOL CODE OF ORDINANCES SEC. 21-49, PERTAINING TO AUTHORITY TO WAIVE REQUIREMENTS FOR SIDEWALKS.

As recommended by the Ordinance Committee and on motion of Council Member Preleski, Chrm., and seconded, it was unanimously voted: To authorize a Public Hearing on Wednesday, March 20, 2019 at 4:50 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. 21-49, pertaining to the authority to waive the requirements for sidewalks 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.

Sec. 21-49. - Requirements for commercial and industrial property.

MARCH 12, 2019

- (a) No building permit shall be issued for any commercial or industrial building or structure unless both the site plans and plot plans show concrete sidewalks and curbs, curb cuts and off-street parking, accompanied with five (5) copies of the site and/or plot plan.
- (b) No certificate of occupancy shall be issued on any new commercial or industrial building unless sidewalks, etc., have been installed as shown on the site and plot plans.
- (c) The [city council] Zoning Commission or Planning Commission may, upon the application by an industrial or commercial property owner, waive the requirements of paragraph (b) providing all of the following criteria have been met:
 - (1) That the development or zone in which the commercial or industrial building or structure is located is commercial or industrial.
 - (2) That the board of education shall report within sixty (60) days from the date of the application that the block is not used by students for walking to and from school.
 - (3) That the said owner shall sign a caveat to be filed on the land records that it understands that this deferral created by this subsection may be revoked any time upon written demand by the city council. Said revocation shall then effectively require the owner to install sidewalks to the current city specifications at the owner's cost within three hundred sixty (360) days from the date of the revocation.
 - (4) For the limited purpose of the foregoing a block is defined as that area between intersecting streets.
- (d) There also shall be filed a plot plan showing to scale the size and location of all the new construction, all existing structures on the site, distances from lot lines and the established street grades; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the plot plan shall show all construction to be demolished and the location and size of all existing buildings and constructions that are to remain on the site or plot. As-built plot plans must be submitted at the time of application for certification of occupancy. Plot plans will signify that such is an as-built plot plan.
- (e) For purposes of this section any apartment, garden apartment, condominium or town house that contains more than three (3) living units shall be considered commercial property.

16. PUBLIC HEARING SCHEDULED FOR MARCH 20, 2019 REGARDING PROPOSED AMENDMENTS TO BRISTOL CODE OF ORDINANCES SEC. 2-97.76, PERTAINING TO ADDING COMPTROLLER AND RETIREMENT BOARD TO RETIREE HEALTH CARE TRUST.

As recommended by the Ordinance Committee and on motion of Council Member Preleski, Chrm., and seconded, it was unanimously voted: To authorize a Public Hearing on Wednesday, March 20, 2019 at 4:55 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. 2-97.76, pertaining to adding the Comptroller and Retirement Board to the retiree health care trust and to waive the reading of the proposed amendments, but to include them as part of the minutes. The ordinance reads as follows:

MARCH 12, 2019

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

Sec. 2-97.76. - Retiree health care trust—Establishment, trust management and asset investment.

- (a) In accordance with Conn. Gen. Stat. § 7-450 (a), the City of Bristol shall establish a trust fund ("trust") to hold and invest all contributions and assets of the city's retiree group health care plan ("plan"). The trust shall be for the purpose of funding current and future health care benefits for eligible retired employees in accordance with the plan. The city treasurer and the Comptroller shall be the trustees ("trustees") of the trust.
- (b) The city council may amend or terminate the trust. The trustees shall manage the trust with the advice and guidance of the retirement board, including the investment of assets and the disbursement of benefits and may appoint an investment manager. The board of finance shall determine the funding policy of the plan.

17. APPOINTMENTS.

The following appointments were presented:

STAFFORD SCHOOL ROOF REPLACEMENT BUILDING COMMITTEE

Kristine Irvine, educational professional, Board of Education – Appointment – no term.

John Freimuth, member of professional community of the City – Appointment – no term.

Andrew Wood, member of professional community – Appointment – no term.

Richard Rozanski, citizen taxpayer from school area – Appointment – no term.

Justin Mauldin, citizen taxpayer from district as whole – Appointment – no term.

Tamysha Cobbs, parent from school area – Appointment – no term.

Nominations from School Building Nominating Committee.

Confirming motion by Council Member Mills.

Appointments unanimously approved in voice vote.

ACTING MAYOR

Dave Preleski – Appointment – two month term to May, 2019.

Mayor's Appointment – No confirming motion required.

COMMISSION ON AGING

Dolores Ricker – Reappointment – term to March, 2022.

Confirming motion by Council Member Hahn.

Motion passed in voice vote.

CITY CEMETERY COMMISSION

Michael Saman, Jr. – Reappointment – term to March, 2022.

Deanne Levesque – Reappointment – term to March, 2022.

Confirming motion by Council Member Fortier.

Motion passed in voice vote.

MARCH 12, 2019*STORM WATER TRUST COMMITTEE*

Sean Dunn – Reappointment – unexpired term to July, 2020.
 Confirming motion by Council Member Fortier.
 Motion passed in voice vote.

CITY ENERGY COMMISSION

Gregory Hahn, Council Member Liaison – Appointment.
 Mayor’s Appointment – No confirming motion required.

ORDINANCE COMMITTEE

Gregory Hahn – Appointment.
 Replaced Council Member Medeiros.
 Mayor’s Appointment – No confirming motion required.

BOARD OF POLICE COMMISSIONERS

Scott William Rosado – Appointment.
 Replaced Council Member Medeiros.
 Confirming motion by Council Member Preleski.
 Motion passed in voice vote.

YOUTH COMMISSION

Scott William Rosado – Appointment.
 Replaced Council Member Medeiros.
 Confirming motion by Council Member Fortier.
 Motion passed in voice vote.

COMMISSION ON AGING

Scott William Rosado, Council Member Liaison – Appointment.
 Mayor’s Appointment – No confirming motion required.

BOARD OF PARK COMMISSIONERS

Scott William Rosado – Appointment.
 Mayor’s Appointment – No confirming motion required.

DIVERSITY COUNCIL

Scott William Rosado, Council Member Liaison – Appointment.
 Mayor’s Appointment – No confirming motion required.

**18. APPROVAL TO RESCIND MILITARY LEAVE POLICY DATED
 JANUARY 10, 2006 AND REPLACE WITH NEW POLICY EFFECTIVE
 MARCH 13, 2019.**

Council Member Rosado explained the reason for changing the policy was to remove the language referring to specific wars and make it broader to include all theaters of operation.

MARCH 12, 2019

Mayor Zoppo-Sassu stated that the wages, benefits, health insurance, and how the City handles life insurance, vacations, sick-leave, and military orders for all City employees who are active or reserve will remain the same. The change updated the policy based on the war on terror, rather than specific wars.

On motion of Council Member Rosado and seconded, it was unanimously voted: To rescind the old military leave policy dated January 10, 2006 and to replace it with a new policy effective March 13, 2019.

19. EXECUTIVE SESSIONS TO DISCUSS LITIGATION MATTER OF MAILHOT, DEBORAH VS. CITY OF BRISTOL, DOCKET NO. HHB-CV-17-6039990-S, PROPOSAL TO RELOCATE CITY HALL TO 10 MAIN STREET, DISCUSS TENTATIVE AGREEMENT BETWEEN CITY OF BRISTOL AND LOCAL 233 OF COUNCIL 4, AFSCME, AFL-CIO, AND POTENTIAL SALE OF 64 LAWNDALE AVE.

At 7:58 p.m., on motion of Council Member Fortier and seconded, it was unanimously voted: To convene into Executive Sessions to discuss the matter of Mailhot, Deborah vs. City of Bristol, Docket No. HHB-CV-17-6039990-S; to discuss the proposal to relocate City Hall to 10 Main Street; to discuss the tentative agreement between the City of Bristol and Local 233 of Council 4, AFSCME, AFL-CIO; and to discuss the potential sale of 64 Lawndale Avenue.

Present to discuss the matter of Mailhot, Deborah vs. City of Bristol, Docket No. HHB-CV-17-6039990-S: Mayor Zoppo-Sassu; Council Members Fortier, Hahn, Kelley, Mills, Preleski and Rosado; Corporation Counsel Clift; and Asst. Corporation Counsel Lacey.

Present to discuss the proposal to relocate City Hall to 10 Main Street: Mayor Zoppo-Sassu; Council Members Fortier, Hahn, Kelley, Mills, Preleski and Rosado; Corporation Counsel Clift; Asst. Corporation Counsel Lacey, Asst. Corporation Counsel Conlin, and Asst. Corporation Counsel Steeg; Assessor DeNoto; Comptroller Waldron; Purchasing Agent Rousseau; Public Works Director Rogozinski; and Mike Goman.

Present to discuss the tentative agreement between the City of Bristol and Local 233 of Council 4, AFSCME, AFL-CIO: Mayor Zoppo-Sassu; Council Members Fortier, Hahn, Kelley, Mills, Preleski and Rosado; Corporation Counsel Clift; Comptroller Waldron; and Human Resources Director Penney.

Present to discuss the potential sale of 64 Lawndale Avenue: Mayor Zoppo-Sassu; Council Members Fortier, Hahn, Kelley, Mills, Preleski and Rosado; Corporation Counsel Clift; Asst. Corporation Counsel Lacey and Asst. Corporation Counsel Steeg; Public Works Director Rogozinski; Assessor DeNoto; and Purchasing Agent Rousseau.

Discussion was held. No votes were taken.

MARCH 12, 2019

At 10:03 p.m., on motion of Council Member Fortier and seconded, it was unanimously voted: To reconvene into Public Session.

20. SETTLEMENT AGREEMENT IN MATTER OF DEBORAH MAILHOT VS. CITY OF BRISTOL, DOCKET NO. HHB-CV-17-6039990-S, APPROVED.

On motion of Council Member Fortier and seconded, it was unanimously voted: That the City of Bristol enter into a full and final settlement agreement in the matter of Deborah Mailhot vs. City of Bristol, Docket No. HHB-CV-17-6039990-S in consideration of the payment of \$15,000, to be paid by the City's insurance carrier and to authorize the Counsel of the City of Bristol to execute any necessary documents to effectuate the settlement.

21. AGREEMENT BETWEEN CITY OF BRISTOL AND LOCAL 233 OF COUNCIL 4, AFSCME, AFL-CIO EFFECTIVE JULY 1, 2018 THROUGH JUNE 30, 2022, APPROVED.

On motion of Council Member Preleski and seconded, it was unanimously voted: To approve the Agreement between the City of Bristol and Local 233 of Council 4, AFSCME, AFL-CIO effective July 1, 2018 through June 30, 2022, to authorize the Mayor Ellen A. Zoppo-Sassu to sign any documents, and to refer this matter to the Board of Finance for any necessary action.

22. ACCEPTANCE OF OFFER FROM NICHOLAS D'EMANUELE OF \$65,238 TO PURCHASE CITY OWNED PROPERTY KNOWN AS 64 LAWNSDALE AVENUE.

On motion of Council Member Hahn and seconded, it was unanimously voted: That the City of Bristol accept the offer of \$65,238 from Nicholas D'Emanuele for the purchase of City owned property known as 64 Lawnsdale Avenue. 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.

23. AUTHORIZATION FOR CORPORATION COUNSEL OR ASSISTANT CORPORATION COUNSEL TO ENTER INTO AN AGREEMENT WITH BRUCE WESSELLS FOR POSSESSION OF 64 LAWNSDALE AVENUE IN CONSIDERATION OF PAYMENT NOT TO EXCEED \$7,500.

On motion of Council Member Hahn and seconded, it was unanimously voted: To authorize the Corporation Counsel or Assistant Corporation Counsel to enter into an agreement with Bruce Wessells for possession of the premises known as 64 Lawnsdale Avenue in consideration of a payment not to exceed \$7,500.

MARCH 12, 2019

24. ADJOURNMENT.

At 10:05 p.m., on motion of Council Member Hahn and seconded, it was unanimously voted: To adjourn.

ATTEST: _____

Therese Pac
Town & City Clerk