

COURT OF COMMON COUNCIL



NOTICE & AGENDA PACKAGE

MONDAY, MARCH 18, 2019

7:00 p.m.



**CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103**



**OFFICE OF THE TOWN AND CITY CLERK
CITY OF HARTFORD
HARTFORD, CONNECTICUT**

**PUBLIC HEARING NOTICE
MONDAY, MARCH 18, 2019
7:00 p.m.**

COUNCILPERSONS ROSADO, DEUTSCH, GALE, FOX AND SANCHEZ WILL REPRESENT THE COUNCIL AT A PUBLIC HEARING TO BE HELD IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING AT 7:00 P.M., MONDAY MARCH 18, 2019.

- 1. SUBSTITUTE RESOLUTION AUTHORIZING THE CITY OF HARTFORD TO LEASE A PORTION OF THE BURR SCHOOL SITE AT THE CORNER OF MEADOW AND LEDYARD STREETS TO THE BOYS AND GIRLS CLUBS OF HARTFORD FOR ONE DOLLAR AND TO SIGN ANY EASEMENTS REQUIRED BY UTILITY PROVIDERS.**
- 2. ORDINANCE AMENDING CHAPTER 32, ARTICLE I, TAX RELIEF FOR THE ELDERLY, OF THE MUNICIPAL CODE.**

Referred to the Operations, Management, Budget and Government Accountability Committee

- 3. ORDINANCE AMENDING CHAPTER 31, ARTICLE V OF THE MUNICIPAL CODE.**

Referred to the Public Works, Parks and Environment Committee

COPIES OF THE ORDINANCES AND RESOLUTION ARE ON FILE IN THE OFFICE OF THE TOWN AND CITY CLERK FOR PUBLIC INSPECTION.

ATTEST:

**JOHN V. BAZZANO
CITY CLERK**

For more information on committee meeting dates please contact the following:

- A regular meeting of the Operations, Management, Budget and Government Accountability Committee will be held on the third Monday of each month at 5:30 P.M. in the Council Chambers.

**Carolynn Harris (860) 757-9570
Carolynn.Harris@hartford.gov**

**Kevin L. Murray 860-757-9563
Kevin.murray@hartford.gov**

- A regular Public Works, Parks, Recreation and Environment Committee meeting will be held on the first Wednesday of each month at 5:30 P.M. in the Council Chambers.

**Agnes Torres (860) 757-9568
agnes.torres@hartford.gov**

SUBSTITUTE RESOLUTION

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, March 11, 2019

WHEREAS, The City owns 13 parcels of vacant land comprising approximately 2.25 acres situated at 9, 11-17, 19-22, 23-29 and 38 Park Street, 89-97, 99-105, 109, 111, 115, 131 and 135 Main Street and 20 John Street (collectively, the "Property"); and

WHEREAS, In November 2017, the City issued a Request for Proposals seeking qualified developers to develop the Property into a mixed-use development with active street uses on the ground floors and residential spaces above; and

WHEREAS, The development team of Spinnaker Real Estate Partners, LLC of Norwalk and Freeman Companies of Hartford (the "Developer") submitted a proposal and were ultimately selected as the preferred developer for the project; and

WHEREAS, The plans proposed by the Developer call for the construction of two residential buildings at the Property which would consist of a mix of studios, one-bedroom and two-bedroom units, along with other amenities. The project would proceed under a development agreement with the City that would contain a 20% workforce housing requirement with rents at 80%-120% AMI, and MWBE hiring and living wage mandates; and

WHEREAS, The total projected cost of the project is \$26M, with financing for the project consisting of an \$8.5M loan from the Capital Region Development Authority, construction financing and private equity; and

WHEREAS, Post construction, the Developer would lease the Property from the City through a long-term ground lease with bi-annual PILOT payments to the City throughout the lease term; and

WHEREAS, The specific terms of the development agreement and ground lease with the Developer are more particularly set forth in the attached term sheet; and

WHEREAS, The proposed development agreement and ground lease will result in the development of two blighted corners at a prominent and heavily traversed intersection, produce additional workforce housing units, and create long-term revenue to the City in the form of PILOT payments; now therefore be it

RESOLVED, That the Court of Common Council hereby authorizes the Mayor, subject to review and approval of a Term Sheet for the project, to enter into a development agreement and ground lease with Spinnaker Real Estate Partners, LLC and 7 Summits, Realty, LLC or their designee(s); and be it further

RESOLVED, that the Mayor is hereby authorized to execute any and all manner of other documents, including any utility easement that may be required, and to take such other actions as he and the Corporation Counsel may deem appropriate and in the best interest of the City in order to effectuate the above transaction, upon approval of the Term Sheet, and be it further

RESOLVED, that no person or entity shall be entitled to rely on, or otherwise claim any benefit by reason of this resolution should the Mayor fail to execute the aforementioned agreements or other documents, or to take any of the other aforesaid actions, and be it further

RESOLVED, that all approvals and authorizations provided hereby are contingent upon, and only shall be effective on and by means of, the Mayor executing such agreements and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel.

Replacement

ITEM#

2

ON AGENDA



Luke A. Bronin
Mayor

March 11, 2019

Honorable Glendowlyn L.H. Thames, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

John C. Bronin

2019 MAR -8 PM 12:30

TOWN & CITY CLERK



RE: Elderly Tax Relief Program

Dear Council President Thames,

Attached for your consideration, please find an ordinance amendment of Section 32-18 of the Municipal Code. This amendment will extend the Elderly Tax Relief Program to elderly Hartford homeowners for taxes due on the Grand List of October 1, 2018 and increase the income limits for eligibility.

The Court of Common Council established the Elderly Tax Relief Program, authorized under Section 12-129n of the Connecticut General Statutes, in 1982. The program has been continued annually in order to lessen the tax burden on Hartford homeowners who are 65 years of age and older. Last year, 646 households in our city benefitted from this program.

This year we recommend increasing the income limits to \$50,350 for an unmarried person and \$57,550 for a married couple, which correspond to United States Department of Housing and Urban Development guidelines.

Respectfully submitted,

Luke Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

Replacement

Introduced by: Mayor Luke A. Bronin

HEADING AND PURPOSE

AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 32 OF THE MUNICIPAL CODE OF HARTFORD

COURT OF COMMON COUNCIL
CITY OF HARTFORD

March 11, 2019

Be It Ordained by the Court of Common Council of the City of Hartford:

That Chapter 32, Article I, Tax Relief for the Elderly, of the Municipal Code be amended as follows:

Chapter 32 – TAXATION AND ASSESSMENTS FOR IMPROVEMENTS

ARTICLE I. – IN GENERAL

Sec. 32-18. - Tax relief for the elderly.

(a) Any person who is liable for taxes assessed on real property located in the City, which real property is occupied by such person as his personal residence, whether such person is an owner of the real property or is liable for taxes therein under the provisions of G.S. § 12-48 as a tenant for life or for a term of years, shall be allowed to pay said taxes quarterly without interest or penalty and entitled to tax relief in the form of a tax credit, provided that the:

- (1) Person is sixty-five (65) years of age or over, or his spouse is sixty-five (65) years of age or over and resides with such person, or the person is sixty (60) years of age or over and the surviving spouse of a taxpayer who would have qualified for tax relief under this program at the time of his death;
- (2) Person has been a resident of the City of a period of one (1) year immediately preceding the application for relief;
- (3) Property for which the tax credit is claimed is the legal domicile of such person and is occupied by such person for at least one hundred eighty-three (183) days of each year;
- (4) Person's qualifying income individually, if unmarried, during the calendar year preceding the claim for tax relief, shall not exceed [forty-seven thousand six hundred dollars (\$47,600.00)] fifty thousand three hundred fifty dollars (\$50,350) or jointly, if married, not exceed [fifty-four thousand four hundred dollars (\$54,400)] fifty-seven thousand five hundred fifty dollars (\$57,550).

Qualifying income is defined as adjusted gross income (Internal Revenue Code guidelines) plus tax-exempt interest, dividend exclusions, gifts, bequests, social security benefits, railroad retirement benefits, and income from all other tax-exempt sources, but not including any credits received under this program;

- (5) Person shall have applied for property tax relief under any other existing state benefits programs for which he may be eligible; and
- (6) Person makes application for tax relief afforded under this program biennially with the City Assessor no earlier than February first, nor later than May fifteenth.

- (b) The amount of the tax credit afforded under this program shall be five hundred dollars (\$500.00) for a residential property of three (3) dwelling units or less and one thousand five hundred dollars (\$1,500.00) for a residential property of four (4) dwelling units. In any case where title to such real property is recorded in the names of more than one (1) taxpayer, the amount of credit shall be provided in accordance with the fractional share such eligible owner holds in the property.
- (c) The City Assessor is hereby authorized to implement this program, and to adopt such rules and regulations as may be necessary for the proper administration of this program. He may designate agents to act in his name in collecting applications for this program.
- (d) The City Assessor shall determine eligibility for tax relief under this program. He shall compute the amount of credit due each qualified taxpayer, make proper record thereof, and inform the City tax collector of his determination.
- (e) If any person entitled to the tax credit afforded under this program dies or sells the real property on which the tax credit is granted, any credit previously allowed shall be disallowed to the extent of the portion of the fiscal year remaining following the date of death or sale of the property, except where such death or sale results in a surviving spouse, otherwise eligible, acquiring the interest formerly held by the taxpayer.
- (f) The tax relief afforded under this program to a taxpayer in no event shall, together with any relief received by such residents under the provisions of G.S. §§ 12-129b to 12-129d inclusive, 12-129h, and 12-170aa, exceed, in the aggregate, seventy-five (75) percent of the tax which would, except for G.S. §§ 12-129b to 12-129d inclusive, 12-129h, and 12-170aa, and this program, be laid against such taxpayer.
- (g) The City hereby waives any right to establish a lien which it may have under the provisions of G.S. § 12-129n(f).
- (h) Affidavits, applications or other documents presented in support of the application for tax relief shall remain confidential and shall not be disclosed except in connection with an investigation of fraud or other misrepresentation as to eligibility.
- (i) The total of all credits granted under the provisions of this program shall be limited to ten (10) percent of the total real property tax levied in the City in the preceding fiscal year. If the total of all credits which would be granted except for this section exceeds an amount equal to ten (10) percent of the total real property tax levied in the City in the preceding fiscal year, then each such credit shall be reduced on a pro rata basis so that the total credits equals ten (10) percent of the total real property tax assessed.
- (j) This section shall apply for taxes due on the list of October 1, [2017] 2018, only.

This ordinance shall take effect upon adoption.

(Code 1977, § 31-19; Ord. No. 10-83, §§ A—J, 3-14-83; Ord. No. 4-84, 2-14-84; Ord. No. 1-85, 1-16-85; Ord. No. 2-85, 1-16-85; Ord. No. 38-86, 11-24-86; Ord. No. 2-88, 1-11-88; Ord. No. 38-88, 6-27-88; Ord. No. 4-89, 2-14-89; Ord. No. 6-90, 3-12-90; Ord. No. 25-90, 6-11-90; Ord. No. 3-91, 1-28-91; Ord. No. 1-92, 1-13-92; Ord. No. 45-92, 12-14-92; Ord. No. 15-94, 2-28-94; Ord. No. 1-95, 1-23-95; Ord. No. 3-96, 1-22-96; Ord. No. 61-96, 12-16-96; Ord. No. 2-98, 1-12-98; Ord. No. 1-99, 1-11-99; Ord. No. 1-00, 1-24-00; Ord. No. 1-01, 1-25-01; Ord. No. 2-02, 1-14-02; Ord. No. 63-02, 1-13-03; Ord. No. 01-04, 1-12-04; Ord. No. 20-04, 12-13-04; Ord. No.

01-06, 1-9-06; Ord. No. 01-08, 1-14-08; Ord. No. 03-09, 2-9-09; Ord. No. 01-10, 1-11-10; Ord. No. 01-11, 1-10-11; Ord. No. 05-12, 4-9-12; Ord. No. 02-13, 2-25-13; Ord. No. 02-14, 3-24-14; Ord. No. 04-15, 3-23-15; Ord. No. 05-16, 5-23-16; Ord. No. 13-17, 3-27-17; Ord. No. 02-18, 4-9-18)



Luke A. Bronin
Mayor

ITEM # 3 ON AGENDA

March 11, 2019

Honorable Glendowlyn L.H. Thames, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Amendment to Chapter 31, Article V of the Municipal Code

Dear Council President Thames,

Attached for your consideration is an ordinance amending Chapter 31, Article V of the Municipal Code, which regulates the removal of snow and ice from sidewalks.

The proposed ordinance extends the authority to address snow and ice removal violations to the Department of Public Works (DPW) in accordance with state law, and delineates the enforcement of powers of DPW. The amendment also reorganizes the structure of the sections in order to have all the obligations of a property owner listed in one section after another, for ease of understanding.

By clarifying all the snow and ice clearing laws, while expanding upon the enforcement authority of the City, we believe this will help alleviate confusion as to who is responsible for snow, ice, freezing precipitation cleanup and help ensure more accessibility to City sidewalks.

Respectfully submitted,

A handwritten signature in dark ink, appearing to be "LBronin", written over a horizontal line.

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

Introduced by: Mayor Luke A. Bronin

**HEADING
AND
PURPOSE**

AN ORDINANCE AMENDING ARTICLE V OF CHAPTER 31 OF THE MUNICIPAL CODE
OF HARTFORD

COURT OF COMMON COUNCIL
CITY OF HARTFORD

March 11, 2019

Be It Ordained by the Court of Common Council of the City of Hartford:

That Chapter 31, Article V, Snow and Ice Removal, of the Municipal Code be amended as follows:

Chapter 31 – STREETS AND SIDEWALKS

ARTICLE V. – SNOW, ICE AND SLEET REMOVAL

Sec. 31-141. - Enforcement.

This chapter shall be administered and enforced by the director of public works or chief of police or both, who may designate duly authorized representatives to enforce this chapter in their respective names.

Sec. 31-142. - Duty of persons in control to remove snow, ice, sleet or other forms of freezing precipitation from sidewalks.

- (a) The property owner, occupant, tenant, or agent in control of any premises in the City which is in front of, along or adjoining any graded, paved or planked sidewalk shall cause all snow, ice, sleet, and/or freezing precipitation to be removed from the entire width of the sidewalk, including any adjacent curb-cut, following the conclusion of the weather event.
- (b) If such fall of snow, ice, sleet or freezing precipitation is in the daytime, it shall be removed within six (6) hours of the ceasing of such fall or freezing; or if such fall or freezing is in the nighttime, it shall be removed before 9:00 am of the succeeding day.

Sec. 31-143. - Abatement

Whenever any sidewalk mentioned in section 31-142, or any part thereof, is covered with snow, sleet or ice, that cannot be entirely removed within the parameters prescribed in section 31-142(a), the property owner, occupant, tenant, or agent in control of the premises, following the conclusion of the weather event, shall cover the affected portion(s) of such sidewalk with sand or other suitable substance so that such sidewalk shall be safe for public travel.

Sec. 31-144. - Fire hydrants to be cleared.

All snow and ice accumulating in the street higher than a point four (4) inches below the bottom of the lowest outlet on any fire hydrant, and within a radius of three (3) feet from the center of such hydrant, shall be removed by the tenant, occupant, owner or agent of the premises fronting on that portion of the street, within six (6) hours after such snow and ice has ceased to fall or accumulate, or within three (3) hours after sunrise when the snow has fallen in the nighttime.

Sec. 31-145. - Removal of snow from roofs.

Every property owner, occupant, tenant or agent having control of a building standing upon or so near the line of a street that snow sliding from the roof may endanger public travel, shall within a reasonable time after the termination or abatement of a snowstorm, cause the snow to be removed from the roof thereof, in such manner as will not endanger travelers.

Sec. 31-146. - Throwing snow and ice into the streets.

No person shall throw or put, or cause to be thrown or put, any snow or ice from any private property or from any area in the rear or outside of the legally laid-out sidewalk into any street in the City that creates a safety hazard.

Sec. 31-147. - Violations and penalties; hearing.

- (a) If the Director of Public Works or his/her designee, upon any inspection of any sidewalks observes a violation of this Chapter, the Director may:
- (1) Issue a notice of violation ordering the property owner, occupant, tenant or agent in control of land abutting such sidewalk to correct the violation within a specified reasonable period of time. The notice requirements of this section shall be satisfied upon the notice being left at said premises.
 - (2) If the violation is not remedied by said specified period of time:
 - i. The property owner shall be issued a citation, and
 - ii. The property owner shall be subject to additional charges, if the City has to shovel or treat the sidewalk that is the subject of the citation.
- (b) A person or entity who is issued a citation shall be subject to a fine of ninety-nine (\$99.00). Each day such violation shall continue shall constitute a separate offense.
- (c) Any person or entity issued a citation for violating the provisions of this chapter may within ten (10) days of receipt of the citation, appeal in writing to a citation hearing officer in accordance with section 1-5.
- (d) If the Chief of Police or his/her designee, upon inspection of any sidewalk observes a violation of this Chapter, the Chief of police may:

- (1) Issue an infraction. Every day that the violation continues is a separate violation and shall be considered a separate and distinct infraction. A fine of ninety-nine (\$99.00) will be imposed for each infraction.

Sec. 31-148. - Liability of officers and directors of corporations.

Whenever a corporation violates the provisions of section 31-142 through 31-146, the officers and directors of such corporation shall be personally liable to pay any fine incurred by such corporation.

Sec. 31-149. - Duty of city officers to clear sidewalks owned by city; liability

It shall be the duty of all such city officers to cause to be cleared, in accordance with this article, all sidewalks fronting on land under their official charge. The Director of Public Works and other city officers shall be personally liable to the same penalties for any neglect in relation to the sidewalks under their official charge as are private persons for a like offense.

Sec. 31-150. - Snow and ice on public sidewalks.

- (a) State law adopted. The provisions of G.S. § 7-163a are hereby adopted, and are set forth in subsections (b) and (c).
- (b) Liability of city. Notwithstanding the provisions of G.S. § 13a-149 or any other general statute or special act, the City shall not be liable to any person injured in person or property caused by the presence of ice or snow on a public sidewalk unless the City is the owner or person in possession and control of land abutting such sidewalk, other than land used as a highway or street provided the City shall be liable for its affirmative acts with respect to such sidewalk.
- (c) Liability, duty of abutting landowner:
- (1) The owner or person in possession and control of land abutting a public sidewalk shall have the same duty of care with respect to the presence of ice or snow on such sidewalk toward the portion of the sidewalk abutting his property as the municipality had prior to the effective date of this section adopted pursuant to the provisions of G.S. § 7-163a and shall be liable to persons injured in person or property where a breach of such duty is the proximate cause of such injury;
 - (2) No action to recover damages for injury to the person or to property caused by the presence of ice or snow on a public sidewalk against a person who owns or is in possession and control of land abutting a public sidewalk shall be brought but within two (2) years from the date when the injury is first sustained.

Sec. 31-151. - Additional Code sections.

Property owner, tenants, occupants, owners or agents of any premises should refer to Chapter 15, Article I of this Code for additional duties regarding garbage and refuse.

Secs. 31-152—31-175. - Reserved.