

**CITY COUNCIL WORK SESSION
CITY OF WATERTOWN
September 13, 2021
7:00 p.m.**

Mayor Pro Tem Ryan J. Henry-Wilkinson Presiding

Present: Council Member Sarah V.C. Pierce
Council Member Lisa A. Ruggiero
Council Member Leonard G. Spaziani
Mayor Pro Tem Ryan J. Henry-Wilkinson

Not Present: Mayor Jeffrey M. Smith

Also Present: Kenneth A. Mix, City Manager, City Attorney Robert J. Slye

City staff present: James Mills

DISCUSSION

Covid-19 Memorial

Prior to the work session, City Council and staff toured the proposed site for this memorial at Thompson Park.

At the opening of the work session, Allison Gorham presented her proposal for a Memorial to the 89 Jefferson County and 229 tri-county regional victims of Covid-19. The proposed location would be in Thompson Park near the Rotary Pavilion which she described as a grove of birch trees, noting that when you stood inside that grove, there was a peaceful feeling “like a hug.”

Referring to a distributed handout, she explained the costs and how the project would potentially be funded through corporate donations, grants and fundraising. She advised Council that the fund would cover future maintenance. Ms. Gorham requested that Council give permission to use the spot and requested the City provide the cement pad necessary to place the monument. She suggested that some ARPA funds might be able to spent on this project, which she felt fell under the category of “improving public spaces.” She noted further that future development of the site could potentially include lighting the area, which could be electricity provided by the City or solar lighting.

In response to Mayor Pro Tem Henry-Wilkinson’s inquiries about whether the proposed location would be too close to the fitness trail, Ms. Gorham noted that there are never so many people on that trail to cause a distraction.

Mayor Pro Tem Henry-Wilkinson stated that he did not believe this project would qualify for ARPA funds and asked Mr. Mix if it would.

Mr. Mix stated that it was not exactly clear but they had some new information, to be presented later in the work session, that might allow funds to be spent on such a project.

Council Member Spaziani stated that he would object to ARPA funds being spent on a memorial when those funds could not be spent for Hospice. He also objected to a memorial specifically for Covid-19 when there are no memorials for Polio, Spanish Flu or for Overdose victims. He added that the Park is not the place for memorials as it is meant for recreation.

Council Member Ruggiero said she understood Council Member Spaziani's position on the expenditure and added that, if she had her way, the City would use the funds for both. She also asked Ms. Gorham if she had any concerns that the location was possibly too remote and hidden from view.

Ms. Gorham stated she was somewhat concerned, adding her first proposed location, which was more visible near the Vietnam memorial, interfered with proposed Zoo expansion.

In response to Council Member Ruggiero's question on who would maintain the site, Ms. Gorham said she would and she had a large group of people willing to help who could be called on if Ms. Gorham could no longer do the work.

Council Member Pierce expressed her appreciation for Ms. Gorham's efforts in taking on the project. She inquired whether there would be any potential for memorial pavers, similar to what is done at the Zoo.

Ms. Gorham stated that they would not be doing pavers as the goal was not to make the memorial specific to local victims, but that she would be open to putting brass plaques on the back of the memorial for corporate sponsors or other donors. She added that memorial benches could also be in the plan.

Mayor Pro Tem Henry-Wilkinson informed Ms. Gorham that he liked the idea and noted that, if the South Massey Street park was any indication, he knew it would be a good project. He added that the memorial had the blessing of the Friends of Thompson Park.

Mr. Mix advised Council that Ms. Gorham was looking for the go-ahead directive from Council and indicated he would prepare a resolution for next week's meeting.

Jefferson County Board of Elections – Nonpartisan Election Law Amendments

Mayor Pro Tem Henry-Wilkinson introduced Jude Seymour, Republican Commissioner, and Michelle LaFave, Deputy Democratic Commissioner from the Jefferson County Board of Elections.

Mr. Seymour indicated they did not have a presentation but were ready to field questions from Council.

City Attorney Robert J. Slye requested Council permit him to ask the questions. His first question was whether or not this would require Home Rule Legislation.

Mr. Seymour indicated that would be the case.

Attorney Slye noted that would require the City to go to a partisan State Legislature and ask for non-partisan voting and expressed his concerns not only with it passing, but in potential alterations that the State Legislature could make.

Mr. Seymour agreed that the modifications would have to go to the State Legislature but that it had been successfully done previously.

Attorney Slye asked for reassurance that the County was not going to require the City pay for elections, including back pay for past elections, adding that this had been in dispute for years due to wording in the law. He requested Sections 12 and 13 be altered without mentioning that the law used to say something otherwise. He noted that the State Law had changed and no other municipality in New York was charged other than the City of Watertown.

Mr. Seymour noted he could not speak for the County and he had no position, adding his only interest was in clarifying and administering the City's law, but pointed out that the other villages and towns in the County do not have differences in the way their elections are held the way the City does.

Mayor Pro Tem Henry-Wilkinson stated that there were a lot of good suggestions in the proposal adding he supported the changes since the language in the law had almost prevented him from sitting in his seat on Council.

Council Member Pierce added that many of the language changes seemed simple enough.

Attorney Slye expressed his concerns about unintended consequences that could stem from the alteration of the language.

Mayor Pro Tem Henry-Wilkinson inquired about the re-wording to cover breaking ties.

Mr. Seymour explained that partisan elections have a mechanism to settle a tie, which sends the vote back to the party's committees, but, since the City elections are non-partisan, there is no mechanism. He explained that he has researched other municipalities and some settle ties with a coin flip, some pick names out of a hat. He indicated it would be up to the City to resolve the tie issue.

Council Member Spaziani remarked that it would not happen very often.

Mr. Seymour said 100-year floods only are supposed to happen every 100 years, but there had been floods two years in a row. He noted that a tie had happened in 2019 and the Board of Elections wants to settle the tie issue to prevent future issues.

Ms. LaFave stated that they were here seeking clarity to avoid what happened in 2019.

Mayor Pro Tem Henry-Wilkinson agreed stating that people needed to have confidence in the election results.

In response to Council Member Ruggiero's inquiry about what would happen if Albany altered the bill after the City submitted it, Council Member Pierce stated that, in her time in Assemblywoman Patti Ritchie's office, any alterations to a bill that the municipality was not comfortable with would not happen.

Attorney Slye questioned a change in wording regarding graphics on the ballot.

Mr. Seymour noted that was designed to ensure that the City's ballots looked like other ballots for towns and villages in the County.

Mr. Mix suggested if Council had no issue with the suggestions for changes, then he would start preparing the Home Rule Legislation.

Mayor Pro Tem Henry-Wilkinson commented that he felt Council could not make a decision until they had an answer on the back pay for elections question.

Mr. Seymour pointed out that the City's law does not specify what triggers a primary, adding that, in general, primaries are a whittling process to limit the number of candidates.

Mayor Pro Tem Henry-Wilkinson asked if the City needed to hold a primary.

Mr. Seymour said that was an excellent question.

In response to Mayor Pro Tem Henry-Wilkinson's question if there was a maximum number of candidates, Ms. LaFave said the short answer was yes, but they were not sure what that number was.

Mr. Seymour noted he had spoken with the election technicians and there are 18 slots on the ballot, so, theoretically, there could be up to 18 candidates before any alterations would have to be made. He added that there are reasons to host a primary other than limiting candidates, noting that being eliminated in a June Primary helps some candidates as the election period is otherwise very long.

Mayor Pro Tem Henry-Wilkinson mentioned run-off voting and inquired if there were other options.

Mr. Seymour went on to mention rank choice voting which is used in New York City but which the County is not equipped to handle.

ARPA Update

Mr. Mix informed Council that the formula had been released to calculate lost revenue during the Covid-19 pandemic. He indicated that the number was much higher than they had previously thought it could be and that the rules for spending the money were much more flexible, advising Council that expenditures could be for "any government service." He explained that calculations had determined a \$8,322,913 revenue loss in 2020. He pointed out that, while the money could not be saved in a reserve fund, it could be spent on many of the items that the City's reserve fund covers. He suggested using the funds to cover items already budgeted so that the money earmarked for that could be saved. He asked Council to consider some other ways they would like to spend the money including repairs to City Hall, a building built in the '60s with numerous issues with HVAC, insulation, windows and its roof. He added, for reference, that the previous City Hall was around 60 years old when it was torn down and replaced with the current City Hall.

Council Member Spaziani agreed with modifications to City Hall noting that decreasing the City's energy consumption would help leading up to the end of Hydro contract.

Council Member Ruggiero asked how feasible it would be to switch to Municipal Power.

Mr. Mix indicated that it is a very complicated undertaking and had been a very controversial battle back in the mid-1990s.

In response to questions about how sure staff was that the \$8 million number was correct, Mr. Mills said that, in his interpretation, the numbers are correct. He added that if the calculation was based solely on the City's General Fund, the revenue loss would have been \$2,627,278.

In response to Council Member Ruggiero asking if the funds could be used for building security, Mr. Mix replied that they could and staff was already working on that.

Council Member Spaziani, referring to the list of proposed future projects provided by Mr. Mix, stated that he would like the funds to be used to pay for the backflow project so homeowners would not have to pay anything for those repairs.

Mayor Pro Tem Henry-Wilkinson commented that he thought there should be a percentage share with income-qualified residents paying less.

Council Member Spaziani disagreed.

Mr. Mills added that funding for this project would come from the sewer fund.

Mr. Mix noted that the sewer fund was very healthy and the City should consider using those funds both for the backflow issue and for sewer issues on Barben Avenue.

Work session ended at 8:16 p.m.

Lisa M. Carr
Deputy City Clerk