

**CITY COUNCIL MEETING  
CITY OF WATERTOWN  
January 6, 2020  
7:00 p.m.**

**Mayor Jeffrey M. Smith Presiding**

**Present:** Council Member Sarah V. Compo  
Council Member Ryan J. Henry-Wilkinson  
Council Member Jesse C. P. Roshia  
Council Member Lisa A. Ruggiero  
Mayor Smith

**Also Present:** Richard M. Finn, City Manager  
Robert J. Slye, City Attorney

**City staff present:** James Mills, Michael Lumbis, Matthew Roy, Patrick Keenan, Dale Morrow

The City Manager presented the following reports to Council:

- Resolution No. 1 - Designating Depositories of City Funds for 2020
- Resolution No. 2 - Approving the Grant Disbursement Agreement with Empire State Development for the 10<sup>th</sup> Mountain Memorial Monument Grant
- Ordinance No. 1 - An Ordinance Authorizing the Issuance of \$1,600,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay a Portion of the \$3,300,000 Estimated Maximum Cost of the Construction of a New Pool and Bathhouse at Thompson Park, in and for Said City
- Public Hearing - Proposed Local Law No. 1 of 2020 - A Local Law Imposing a Temporary Moratorium on the Issuance of Sign Permits for any Exterior/Digital/LED/Changeable Copy Sign or Billboard, of Whatever Size, in any of the City's Zoning Districts as Identified at Section 310-2(A) of the Code of the City of Watertown
- Elected and Appointed Officials, NYS Retirement System, New Regulation Reporting Requirements
- Recommending a Local Law That Would Provide a Four Month Moratorium for the Sign Ordinance as it Pertains to Exterior/Digital/LED Billboard Signage
- 31<sup>st</sup> Annual Local Government Conference

**Complete Reports on file in the office of the City Clerk**

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of December 16, 2020, was dispensed and accepted as written by motion of Council Member Ryan J. Henry-Wilkinson, seconded by Council Member Lisa A. Ruggiero and carried with all voting in favor thereof.

**COMMUNICATIONS**

No communications.

## **PRIVILEGE OF THE FLOOR**

**Donnie Lee Barrigar**, 134 Union Street, addressed the chair requesting that Council launch an investigation into his claim that the government is keeping the facts of the flat earth from the public. He stated that he has documents from NASA, CIA, Air Force, Army, Yale and other Ivy League Institutions that prove there is a non-rotating flat earth.

**Jason Traynor**, 142 Mechanic Street, talked to Council regarding the three issues that he feels the City faces. He indicated they are jobs, transportation and services, and he discussed each in detail.

**Andrew Buckley**, addressed the chair stating that he works for Boralex, which is a renewable energy developer that is developing a large scale solar farm in the Town of Watertown and the Town of Hounsfield. He said he wanted to introduce himself as the project manager and provide Council with some information and a packet about the project (on file in the City Clerk's Office). He also discussed a New York program which allows municipalities to purchase energy on behalf of their residents to provide discounted energy over the wholesale provider. He said Boralex would be interested in exploring this opportunity with the City of Watertown as an economic stimulus and way to create local jobs.

**Jonathan Phillips**, 735 Mill Street, spoke to Council regarding his concerns with the bus system and the delays at the transfer site. He also verbalized his support for having three pools within the City and indicated that one of the other pools in the City should not be shut down due to the construction of the Thompson Park Pool. Lastly, he discussed his concerns over the condition of the City streets.

**Bill Dermady**, 118 Seymour Street, addressed the chair in support of digital billboards and stated he does not feel the moratorium is necessary. Stating that Jake Johnson has invested in many properties within the City, he said that Mr. Johnson should be shown more courtesy and respect for trying to make the City better.

**Debra Dermady**, 118 Seymour Street, read from a prepared statement in support of three pools within the City of Watertown and stated the City does not need another splash pad in place of a pool. She cited the benefits of swimming, in particular for dealing with health issues and as positive recreation for children and families.

**Joseph Wessner**, 126 Monroe Ave, introduced himself as the president of the Downtown Business Association (DBA) and spoke of the partnership that the DBA has had with the City, as well as the past and future improvements occurring in the downtown area.

**Jerry Lax**, 146 Union Street, addressed the chair in support of Jake Johnson and his request to install digital billboards downtown. He said that he has been to other cities that have used these for advertising and that it is a way to make Watertown look better in a cost-efficient manner.

## **PUBLIC HEARING**

**At 7:30 p.m. Mayor Smith asked the City Clerk to read the notice of Public Hearing concerning Proposed Local Law No. 1 of 2020 - A Local Law Imposing a Temporary Moratorium on the Issuance of Sign Permits for any Exterior/Digital/LED/Changeable Copy Sign or Billboard, of**

**Whatever Size, in any of the City's Zoning Districts as Identified at Section 310-2(A) of the Code of the City of Watertown**

**Mayor Smith declared the hearing open at 7:30 p.m.**

**Jason Traynor**, 142 Mechanic Street, spoke in support of digital billboards stating that it is the technology of the 21<sup>st</sup> century and will bring in tax revenue.

**Debra Dermady**, 118 Seymour Street, expressed her support for the digital billboards and mentioned the importance of advertising as it relates to the Comprehensive Plan

**Mark Gaines**, General Manager of NBC Watertown, addressed the chair in support of digital billboards. He said he understands the City needs to do its due diligence but this could be a revenue source for the City and it would be a good way to disseminate information to the public.

**Mayor Smith declared the hearing closed at 7:36 p.m.**

**RESOLUTIONS**

**Resolution No. 1 - Designating Depositories of City Funds for 2020**

**Introduced by Council Member Ryan J. Henry-Wilkinson**

WHEREAS Section 30 of the City Charter requires the City Council to designate each year at its first meeting some incorporated bank or banks or trust company located in the City of Watertown for the deposit of all moneys belonging to the City,

NOW THEREFORE BE IT RESOLVED that the following banks be and they are hereby designated as depositories of the City of Watertown, New York, for the year beginning January 1, 2020 and ending December 31, 2020:

Community Bank, N.A.  
Key Bank  
WSB Municipal Bank

And,

BE IT FURTHER RESOLVED that Community Bank, N.A., Key Bank and WSB Municipal Bank each be required to either execute a bond, deliver to the City of Watertown, New York, approved collateral or to deposit at a mutually agreed upon depository approved collateral of a value up to TWENTY-FIVE MILLION DOLLARS (\$25,000,000).

**Seconded by Council Member Sarah V. Compo and carried with all voting yea.**

**Resolution No. 2 - Approving the Grant Disbursement Agreement with Empire State Development for the 10<sup>th</sup> Mountain Memorial Monument Grant**

**Introduced by Council Member Ryan J. Henry-Wilkinson**

WHEREAS through the efforts of New York State Senator Patricia Ritchie, the City of Watertown has been awarded a \$50,000 Grant from Empire State Development (ESD) for improvements to the 10th Mountain Division Monument located in Thompson Park, and

WHEREAS the monument honors the soldiers and families of the 10th Mountain Division at Fort Drum and was constructed in 2015 and 2016 after the North Country Honors the Mountain Committee successfully raised over \$500,000 in funding for the project, and

WHEREAS the North Country Honors the Mountain Committee requested the grant funding from Senator Ritchie to provide additional funds to repair, maintain and clean the granite and bronze monument, perform lighting repairs and installation, install landscaping, brick paver repairs and site amenities, as well as provide security enhancements and fund the overall maintenance, preservation and enhancement of the monument, and

WHEREAS it is necessary to enter into a formal Grant Disbursement Agreement with Empire State Development for the project,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby approves the Grant Disbursement Agreement between the City of Watertown and New York State Urban Development Corporation, d/b/a Empire State Development a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute the Grant Disbursement Agreement and any other certifications or documents required to accept the grant and administer the program.

**Seconded by Council Member Lisa A. Ruggiero and carried with all voting yea.**

## **ORDINANCES**

**Ordinance No. 1 - An Ordinance Authorizing the Issuance of \$1,600,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay a Portion of the \$3,300,000 Estimated Maximum Cost of the Construction of a New Pool and Bathhouse at Thompson Park, in and for Said City**

**Introduced by Council Member Ryan J. Henry-Wilkinson**

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York, as follows:

Section 1. For paying a portion of the cost of the construction of a new pool and bathhouse at Thompson Park Pool, a class of objects or purposes, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$1,600,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$3,300,000 and that the plan for the financing thereof is by (i) \$1,500,000 of available funds on hand, (ii) \$200,000 of grants from New York State, and (iii) the issuance of \$1,600,000 bonds of said City authorized to be issued pursuant to this bond ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty years, pursuant to subdivision ninety-two of paragraph a of Section 11.00 of the Local Finance Law, as each item of said class has a period of probable usefulness of at least twenty years under subdivisions eleven or sixty-one.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Watertown, Jefferson County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Watertown, Jefferson County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the City Comptroller. Such notes shall be of such terms, form and contents as may be prescribed by said City Comptroller consistent with the provisions of the Local Finance Law.

Section 9. The City Comptroller is hereby further authorized, at his or her sole discretion, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said City in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The intent of this resolution is to give the City Comptroller sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes, without resorting to further action of the City Comptroller.

Section 11. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of its City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 12. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 13. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 14. This ordinance, which takes effect immediately, shall be published in summary in the Watertown Daily Times the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

**Seconded by Council Member Sarah V. Compo**

**Motion for unanimous consent moved by Council Member Ryan J. Henry-Wilkinson, seconded by Council Member Sarah V. Compo and carried with all voting in favor thereof.**

Council Member Henry-Wilkinson said they have already done the mental and emotional labor of spending the money by deciding to take this out of the General Fund so it has already been allocated. He questioned why the City should take on new debt by bonding for a portion of it now. He stated he understands the concerns of the effect it might have on the bond rating and the potential negative effect towards future bonded projects, but he does not want the debt service payment to be used as a reason why the City cannot support a third pool. He also mentioned that it was his idea to bond for this in the beginning and asked his colleagues at the time to take the difference in the project cost increase from the General Fund and keep the bond for the original bond amount of \$2.4 million, but he was told “no.” He said he had “some hard feelings” towards Council Member Compo because she did not support that last year, but he would be doing the same thing if he did not support it now. He clarified that it would be petty for him not to support it now and be upset that Council Member Compo did not support it last year so this is why he thinks he should vote yes for the bond.

Council Member Ruggiero indicated that she had felt the same as Council Member Henry-Wilkinson and noted this is causing anxiety with people all over again. She stated that she has heard from many people that are both for and against this but also from people questioning whether this means there is a chance to close the Thompson Park Pool. She stressed that is not what this is about, noting that there has been a lot on social media about this and about closing another pool. Noting that \$2.4 million was bonded for in 2018, she reminded Council that when the estimates came in higher last year, Council considered revising the bond or pulling \$700,000 from the fund balance. She said that by going this route of bonding for part of it, \$1.6 million will be bonded and \$1.5 million will be from the fund balance.

After the public hearing, Council returned to this discussion.

Council Member Ruggiero pointed out that Council had the opportunity to bond for this in August of last year, but there were not enough votes to do that, so they proceeded by paying for the full amount out of the General Fund fund balance. She said she looks at it as if they are paying cash for it. She also questioned the bond fees of approximately \$231,000 and asked if taking \$1.5 million will still have a negative effect on the Moody’s rating.

James Mills, City Comptroller, stated there is no guarantee that this action will not still lead to a downgrade of the Moody’s rating. However, he said it could be looked at positively that this group took action to better itself fiscally, keep its fund balance and maintain its sustainability with volatile revenue streams by not taking its fund balance too low. He clarified that the \$231,292 figure listed within his report is for contingency and bonding fees and explained that bonding fees are approximately 1% of the amount of the borrowed. He added that a bond issue will cost approximately \$45,000-\$50,000 in fixed fees for legal expense, Moody’s review and fiscal advisor fees.

Council Member Ruggiero pointed out that the Council Members at the time did try to bond for this last year and they did not have the votes to do it, but it is back in front of Council to do it now.

Mr. Mills noted that it was a different group of Council Members at the time.

Council Member Ruggiero mentioned that Council had a solar company present to them about a possible revenue source of \$70,000 per year over 25 years with two five-year extensions. She noted that could have been a total of \$2.1 million in revenue and suggested it could have been used to offset the cost of the pool

Council Member Compo offered an explanation for her position last year, stating that she felt the project was too expensive regardless of how it was paid for and she, like Mayor Butler, were holding out hope that the other Council Members supporting it would reconsider moving forward with such an expensive project. She said the pool is currently being built at Thompson Park and moving along at a rapid rate so she feels that bonding for the remainder of the project is the most fiscally responsible thing to do. She apologized to Council Member Henry-Wilkinson for any hard feelings and said she hopes everyone can move forward.

Council Member Roshia noted his position has always been the same. He said he had also hoped the project would not go through, but ultimately it did and the prior Council chose not to bond for it. He stated the right thing to do is bond for it now that there is another opportunity to do so. He mentioned there will be an additional expense of the bond interest, but if a significant decline in the fund balance, such as \$3 million of a \$10 million balance, causes the City's Moody rating to go down, then future projects could be negatively affected which will cost more.

Council Member Ruggiero asked Mayor Smith to confirm that if Council agreed to approve this then he would not close any of the other pools.

Mayor Smith replied that the payment of this bond would not affect the closure of a pool but the closing of a pool is something that would have to be addressed at budget time or in the future.

Council Member Ruggiero indicated that if the Mayor had said "no" then it might go a long way, especially with the people "out there on social media land."

Council Member Roshia pointed out that these are totally separate issues and should be exclusive of one another.

Mayor Smith agreed and offered an explanation to why he asked for the bonding ordinance to be drawn up and presented. Stating he was against the project of the Thompson Park Pool because he thought it was too expensive, he said progress has been made to the point that, after he was elected, he had to look at what was in the best interest of the City in proceeding forward. He remarked that spending \$3 million out of fund balance could put the City's bond rating in jeopardy and was not the best financial decision for the City so, after meeting with City Comptroller Mills several times, he determined that partial bonding would be a move in a positive direction and possibly prevent a Moody's downgrading. He stressed that he is not introducing, even though he could, a resolution requiring a simple majority to stop the pool project. He added his intent is not to carry over old wounds from the prior Council and to



instead, move forward together to do what is in the best interest of the City and is the best way to pay for the project that is most fiscally responsible.

**At the call of the chair, a vote was taken on the foregoing ordinance and carried with all voting yea.**

### **OLD BUSINESS**

**Proposed Local Law No. 1 of 2020 - A Local Law Imposing a Temporary Moratorium on the Issuance of Sign Permits for any Exterior/Digital/LED/Changeable Copy Sign or Billboard, of Whatever Size, in any of the City's Zoning Districts as Identified at Section 310-2(A) of the Code of the City of Watertown.** *(Introduced on 12/16/2019; public hearing held this evening; appears in its entirety in the 2020 Minutes Book on page 11-15 of the 12/16/2019 minutes).*

**Motion was made by Council Member Sarah V. Compo to amend the foregoing local law to reduce the time of the moratorium from six months to three months. Motion was seconded by Council Member Jesse C. P. Roshia and carried with all voting in favor thereof.**

**Proposed Local Law No. 1 now reads as follows:**

A Local Law imposing a temporary moratorium on the issuance of sign permits for any exterior/digital/LED/changeable copy sign or billboard, also known as Electronic Message Center (EMC), of whatever size, in any of the City's Zoning Districts as identified at Section 310-2(A) of the Code of the City of Watertown.

WHEREAS the City Council recognizes that recent technology has revolutionized the sign and billboard industry, making digital/LED/computer-generated images readily changeable for a wide variety of advertising on the same signage space. This revolutionary technology presents many advertising benefits, yet also presents issues where changeable copy or moving pictures can be distracting to drivers, bothersome to persons living nearby, and generally, can create a public nuisance. Such computer-generated signs and billboards are not always visually compatible with their surroundings. In some instances, they can detract from the historical nature of their surroundings. Accordingly, the City Council of the City of Watertown deems it to be in the public interest to stop and temporarily suspend the processing of applications for, and the issuance of any permits and/or approval for, certain types of energized signage, in any of the City's Zoning District classifications, until such time as the City's comprehensive plan can be formally adopted by the Watertown City Council and zoning regulations pertaining to such signage can be evaluated and/or adopted by changes to the City's Zoning Ordinance. Accordingly, the City Council has determined to impose a moratorium on the processing of applications for, and the issuance of any permits and/or approvals for what is generally to be described as computer-generated changeable copy signs, of any nature and of any size, to include billboard signs, in any of the City's Zoning District classifications, for a period of ~~\*one year~~ **\*\*six (6) months three (3) months** from the effective date of this Local Law to provide adequate time for the City Council to analyze and determine potential appropriate revisions and amendments to the City of Watertown's Zoning Ordinance concerning their use. Provision is made in this Local Law to allow for the extension of the ~~\*one year~~ **\*\*six (6) month three (3) month** moratorium if necessary, and

WHEREAS the City Council of the City of Watertown hereby finds that, without a temporary halt on the processing, permitting and approvals for changeable copy signage in the City's several

Zoning Districts, there is potential that such uses could be located in areas which can cause disruptions in motor vehicle traffic, be distracting to vehicle operators and/or pedestrians, and/or can be disruptive to persons residing nearby. The potential for unsuitable types of signs or unsuitable locations which might materially affect the City's historical downtown streetscape may have particular adverse impacts on the City and its residents, and

WHEREAS the City Council also finds that it is in need of time to perform the necessary analysis of the potential types of signs which should be located in each zoning classification established by the Code of the City of Watertown, and that by maintaining the status quo by temporarily prohibiting the issuance of permits or the processing of applications for approvals for certain signs, the City Council can provide for the planned orderly growth and development of the City, and

WHEREAS a public hearing was conducted in connection with this Local Law on January 6, 2020, after due notice and publication thereof,

NOW THEREFORE BE IT ENACTED by the City Council of the City of Watertown, New York that for a period of time of ~~\*six (6) months~~ **three (3) months** following the effective date of the adoption of this Local Law, the City Council, the City's Planning Board, the City Zoning Board of Appeals and the City's Zoning Officer shall not permit, accept, process, interpret, deliberate upon, decide, deny, or make any determination for any applications for electronic/digitally created/changeable copy signs, including but not limited to scrolling signs, picture signs, of any size or shape, including billboards which contain digitally-created images; changeable copy; or LED display functions in any of the zoning classifications established by Section 310-2(A) of the Code of the City of Watertown, and

BE IT FURTHER ENACTED this moratorium shall apply to all currently pending and future applications, and

BE IT FURTHER ENACTED the terms "changeable copy sign," "digitally created and/or digital display sign," and "electronic changeable sign" shall be broadly construed to include any signage designed to generate photographic images, movies, scrolling type, changing image or any other type of lighted signage which is used to advertise any business or point of view, and

BE IT FURTHER ENACTED this Local Law shall be binding on the City Council, Planning Board, Zoning Board of Appeals, Zoning Officer, Codes Enforcement Officer, and all City officials and employees, and any applicant or real property owner in the City desiring to apply for or receive a permit or approval for such signage in the City of Watertown's several zoning classifications, and

BE IT FURTHER ENACTED that during the period of the moratorium, the City Council shall endeavor to complete all reasonable and necessary review, study, analysis and, if warranted, revisions to the City of Watertown Zoning Ordinance concerning such signage. During the period of the moratorium, no applications will be accepted, nor permits or approvals issued, which would authorize such signage within the City of Watertown, and

BE IT FURTHER ENACTED that this moratorium shall be in effect for a period of ~~\*six (6) months~~ **three (3) months** from its effective date. This Local Law shall be subject to renewal for a cumulative period of up to an additional six (6) months, if necessary, by Resolution(s) of the City Council, and

BE IT FURTHER ENACTED that, to the extent that any law, ordinance, rule or regulation, or parts of any laws, ordinance, rules or regulations of the City of Watertown are in conflict with any provision of this Local Law, concerning special use permits, site plans, building permits and procedure and requirements, this Local Law shall control and supersede such laws, ordinances, rules or regulations, and

BE IT FURTHER ENACTED that, should any owner of property affected by this Local Law suffer any extraordinary hardship in carrying out the strict letter of this Local Law, then the owner of the said property may apply to the City Council of the City of Watertown in writing for a variance from strict compliance with this Local Law upon submission of evidence of such extraordinary hardship. For the purposes of this Local Law, extraordinary hardship shall not be the mere delay in being permitted to make an application or waiting for a decision on the application for a sign permit, or other permit, during the period imposed by the moratorium imposed by this Local Law, and

BE IT FURTHER ENACTED that a request for a variance based upon extraordinary hardship shall be filed with the City Clerk, including a fee of \$350.00 to cover processing and advertising costs by the landowner, or the applicant with consent of the landowner. The request shall provide a recitation of the specific facts that are alleged to support the claim of extraordinary hardship, and shall contain such other information as the City Manager or his designee shall prescribe as necessary for the City Council to be fully informed with respect to the application, and

BE IT FURTHER ENACTED that, upon submission of the aforementioned written application to the City Clerk, the City Council shall, within thirty (30) days of receipt of said application, schedule a public hearing to consider whether an extraordinary hardship is present. A public hearing on any request for an exception for extraordinary hardship shall be held by the City Council at the first regular meeting of the City Council occurring after the expiration of the publication of notice of the request for a waiver. The notice shall be advertised in the City's designated newspaper at least ten (10) days prior to the date of the public hearing. Notice shall also be given, by regular mail, to abutting property owners at the addresses on the tax rolls, and

BE IT FURTHER ENACTED that, at said public hearing, the property owner and any other parties wishing to present evidence with regard to the application shall have an opportunity to be heard, and the City Council shall, within fifteen (15) days of the close of said Public Hearing, render its decision, either granting or denying the application for variation from the strict requirements of this Local Law, and

BE IT FURTHER ENACTED that, if the City Council determines that a property owner will suffer extraordinary hardship if this Local Law is strictly applied to a particular property, then the City Council shall vary strict compliance with this Local Law to the minimum extent necessary to provide the property owner relief from strict compliance with the Local Law, and

BE IT FURTHER ENACTED that any person, firm or corporation that shall establish, place alter, enlarge or erect or modify any sign or billboard on any structure or freestanding, in violation of the provisions of this Local Law or shall otherwise violate any of the provisions of this Local Law shall be subject to:

Injunctive relief in favor of the City of Watertown to cease any and all such actions which conflict with this Local Law and, if necessary, to remove any construction which may have taken place in violation of this Local Law, and

BE IT FURTHER ENACTED that if any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect, and

BE IT FURTHER ENACTED that it has been determined this is a Type II Action under the State Environmental Quality Review and therefore not subject to further environmental review, and

BE IT FURTHER ENACTED that this Local Law has been referred to the County Planning Board in accordance with the General Municipal Law §239-m [7] and the City Council has received and reviewed the findings and recommendation of the Jefferson County Planning Department, and

BE IT FURTHER ENACTED that this Local Law shall take effect immediately upon its filing with the Secretary of State in accordance with New York Municipal Home Rule Law.

In response to Council Member Henry-Wilkinson's request for an explanation of the necessary timeline for the process, Planning and Community Development Director Michael Lumbis provided the details of each step and the time that it required. He noted that the amendment to the zoning ordinance would need to be referred to the Planning Board and the Jefferson County Planning Board, and then it would come to Council in the form of an ordinance with possible recommendations from the two planning boards. He added that Council would also need to schedule a public hearing prior to adopting the ordinance. Stressing each step will require time, he noted that changing the moratorium from six to three months will cut the timeline in half. He responded to questions of who could possibly be on the sign review committee, but he pointed out that a committee would be only necessary for a comprehensive rewrite of the entire ordinance. He noted that if they are just amending a small portion of the ordinance, then the committee might not be necessary.

Mayor Smith asked if staff could do a narrow focus on digital billboards in the downtown area in an expedited fashion, and then have it put into a larger platform of zoning city-wide at a later time

Mr. Lumbis reminded Council that the City does not have standards for an LED sign anywhere in the sign ordinance. He also said the reason this particular permit was not issued is because the current sign is a nonconforming sign, so it cannot be expanded or changed if it is nonconforming. Referring to another LED sign that was recently installed at the foot of the Arsenal Street Bridge, he clarified it was approved because the size was allowed, the sign itself was allowed in that district and there was nothing that prohibited it, but at the same time, there are no standards for how quickly it can flash or the brightness of it.

Mayor Smith mentioned that staff could research other communities within the State and proceed in a manner that safeguards the public and public concerns but also works with business owners in order to not hold them up with delays.

**At the call of the chair, a vote was taken on the foregoing local law and carried with all voting yeas.**

## **STAFF REPORTS**

### **Elected and Appointed Officials, NYS Retirement System, New Regulation Reporting Requirements**

A report was available for Council's review.

### **Recommending a Local Law That Would Provide a Four Month Moratorium for the Sign Ordinance as it Pertains to Exterior/Digital/LED Billboard Signage**

No further discussion took place.

### **31<sup>st</sup> Annual Local Government Conference**

The agenda and registration information of the upcoming conference was available for Council to consider attending.

## **NEW BUSINESS**

### **Watertown Facebook Page**

Council Member Compo announced that a Facebook page has been created for the City of Watertown and Council will share regular updates, press releases and general information regarding the City.

### **Sherman Street and Butterfield Avenue Crosswalk**

Council Member Henry-Wilkinson stated he talked to someone with concerns that there is not a crosswalk to cross Sherman Street from Butterfield Avenue. He noted that students walk in this area to get to the school campus on Washington Street.

### **Sherman Street and Iroquois Avenue Intersection**

Mentioning that this intersection recently was revised, Council Member Henry-Wilkinson stated that there are still issues causing safety concerns. He said the stop sign is awkwardly placed and wondered if the intersection should be narrowed even more.

### **Bus Advertising**

In response to Council Member Henry-Wilkinson's inquiry about advertising on the buses, Superintendent of Public Works Patrick Keenan stated that there is currently advertisement on the interior of the buses and they are working on the exterior of the new fleet. He indicated that he can have more information for Council at the next meeting.

Mayor Smith mentioned that this was brought up by Mr. Traynor under Privilege of the Floor and he is glad that the City is working on it.

### **City Pools**

Council Member Roshia commented that he does not think there is any intention to shut down a pool in this upcoming year.

### **Jake Johnson – Digital Billboards**

Council Member Roshia commended Mr. Johnson's efforts to make improvements in the community and he said he would like to help eliminate red tape for business owners in order to welcome new business to the area.

**Council Liaison to the Flower Memorial Library Board**

Council Member Ruggiero noted that former Council Member Horbacz was the liaison to the Library Board and she offered to replace him in this capacity.

Council agreed to this.

**Solar Company Proposal for Revenue**

Mayor Smith said that Council needs to hear from Attorney Slye on whether this will violate the National Grid contract.

Council Member Ruggiero pointed out that the prior company only wanted to lease land.

**Motion was made by Council Member Ryan J. Henry-Wilkinson to move into Executive Session to discuss collective bargaining and the employment history of a particular individual.**

**Motion was seconded by Council Member Sarah V. Compo and carried with all voting in favor thereof.**

Council moved into Executive Session at 8:04 p.m.

Council reconvened at 9:30 p.m.

**ADJOURNMENT**

**At the call of the chair, meeting was duly adjourned at 9:30 p.m. by motion of Council Member Ryan J. Henry-Wilkinson, seconded by Council Member Lisa A. Ruggiero and carried with all voting in favor thereof.**

*Ann M. Saunders*

City Clerk