

**CITY COUNCIL MEETING/BUDGET SESSION
CITY OF WATERTOWN
May 18, 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 Jeffrey M. Smith

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

City staff present: James Mills, Michael Lumbis, Brian Phelps, Dale Morrow, David Wurzburg, Matthew Roy

This meeting was conducted in accordance with Governor Cuomo's Executive Order No. 202.1 that restricts in-person access to meetings. The public was able to view or listen to the meeting live at: <https://livestream.com/swp/wcc>.

The City Manager presented the following reports to Council:

- Resolution No. 1 - Reappointment to the Empire Zone Administrative Board – Robert Lawlor
- Resolution No. 2 - Readopting the Citizen Participation Plan for the Community Development Block Grant Program
- Resolution No. 3 - Approving the Sale of 77-79 Public Square, Parcel Number 7-01-107.000 to 624 Camp Avenue, LLC
- Ordinance No. 1 - Changing the Approved Zoning Classification of VL-2 Gaffney Drive, Parcel Number 8-40-108.000 from Commercial to Planned Development District #2 and to Change the Approved Zoning Classification of 234-238 Glenn Avenue, 419 Glenn Avenue, 233 Stanton Street and M151 Carlton Avenue, Parcel Numbers 8-19-206.100, 8-19-207.100, 8-18-322.000 and 8-18-303.000 from Residence C to Planned Development District #2
- Ordinance No. 2 - Changing the Approved Zoning Classification of 1348, 1352 and 1356 Washington Street, Parcel Numbers 14-21-106.000, 14-21-107.000 and 14-21-108.000 from Residence B to Neighborhood Business
- NYSDEC Municipal Separate Storm Sewer Systems (MS4) Annual Report

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 May 4, 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

A letter was received from Community Action Planning Council (CAPC) of Jefferson County asking Council to reconsider the elimination of funding for their organization in the proposed budget and to continue supporting the programs that they offer to the community.

A letter was received from Sara Weir, Flower Memorial Library Board President, explaining the effects the proposed budget cuts will have on the services offered by the library.

A letter was received by Frederick McGraw, 121 Elm Street, asking Council to reconsider the proposed layoffs within the City's workforce and showed support for the proposed property tax increase.

Above communications were placed on file in the office of the City Clerk.

RESOLUTIONS

Resolution No. 1 - Reappointment to the Empire Zone Administrative Board – Robert Lawlor

Introduced by Council Member Ryan J. Henry-Wilkinson

RESOLVED that the following individual is reappointed to the Empire Zone Administrative Board for a three-year term, such term expiring on May 31, 2023:

Robert Lawlor
1006 Holcomb Street
Watertown, NY 13601

Seconded by Council Member Lisa A. Ruggiero

Prior to the vote on the foregoing resolution, City Comptroller James Mills replied to Mayor Smith's question that there were two years left for this Board.

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

Resolution No. 2 - Readopting the Citizen Participation Plan for the Community Development Block Grant Program

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS Section 104 (a) (3) of the Housing and Community Development Act of 1974 and Federal Regulations (24 CFR 91.105) require that the City of Watertown adopt a Citizen Participation Plan for its Community Development Block Grant (CDBG) Program, and

WHEREAS the Citizen Participation Plan details how the City plans to involve residents, community organizations and agencies as the City develops its Consolidated Plan, Annual Action Plans and the Consolidated Annual Performance and Evaluation Report (CAPER) for the CDBG Program, and

WHEREAS the United States Department of Housing and Urban Development (HUD), during a recent monitoring visit to the City of Watertown, identified the need to amend the City's adopted Citizen

Participation Plan for the program to include language defining a Low-to-Moderate Income (LMI) Neighborhood, and

WHEREAS the City's draft Citizen Participation Plan was published on February 12, 2020 and copies were made available for public viewing at City Hall, the Flower Memorial Library, the Watertown Housing Authority main office, and on the City's web site, and a 30-day public comment period took place from February 14, 2020 to March 15, 2020, and

WHEREAS a public hearing notice was published in the *Watertown Daily Times* and the City Council held a public hearing on the proposed plan at its meeting on March 16, 2020, and

WHEREAS during the 30-day public comment period and during the public hearing, the City received no public comments on the draft Citizen Participation Plan, and

WHEREAS a digital copy of the draft was distributed to local constituency groups and organizations identified in the plan on March 25, 2020 and no comments received in the 30 days thereafter,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby readopts the attached Citizen Participation Plan for its CDBG Program.

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

Resolution No. 3 - Approving the Sale of 77-79 Public Square, Parcel Number 7-01-107.000 to 624 Camp Avenue, LLC

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS, the City owns a small parcel of land on Watertown's Public Square, which parcel was the site of a business and structure owned and occupied by the Strauss family, and

WHEREAS, the parcel was deeded to the City by the Strauss family after the structure was destroyed by fire, and

WHEREAS, the parcel was improved by the City of Watertown to be used as a walkway between the J.B. Wise parking lot and Public Square, and, in honor of the Strauss' son, Michael W. Strauss, was named the "Strauss Memorial Walkway," and the parcel has been known by that name since the improvements were made, and

WHEREAS, the Strauss family supports the development of businesses on Public Square, to include the use of the walkway, during business hours, as an area for outdoor dining by patrons of a restaurant in an adjoining building, and

WHEREAS, the City Council desires to sell the walkway property to 624 Camp Avenue, LLC for the purposes of establishing an outdoor dining area, while retaining the right of the public to utilize the walkway between the hours of 8 a.m. and 10 p.m., and

WHEREAS, the City's representatives and 624 Camp Avenue, LLC have negotiated terms and conditions for the conveyance and its continued use by the public, which terms and conditions are satisfactory to the City Council,

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Watertown, that the City shall convey its interest in the Strauss Memorial Walkway, located at 77-79 Public Square, Parcel Number 7-01.107.000 to 624 Camp Avenue, LLC, in accordance with the Purchase Agreement attached hereto and that the Watertown City Manager, Kenneth A. Mix is directed to sign the Purchase Agreement on behalf of the City and to transfer title in due course in accordance with its terms.

Secinded by Council Member Lisa A. Ruggiero

Prior to the vote on the foregoing resolution, Council Member Compo explained that she would be abstaining from this vote since the owner of the property was her future brother-in-law.

Council Member Ruggiero thanked staff for their work on bringing this resolution to vote and reported that the Strauss family was supportive of the sale. She noted that the only stipulation was that the Strauss name remained in the space.

Mayor Smith stated that this sale was a win/win for the City, in that it was an investment in the Downtown area and removed a potential maintenance or repair problem from the City's responsibility.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea, except Council Member Sarah V. Compo who abstained.

ORDINANCES

Ordinance No. 1 - Changing the Approved Zoning Classification of VL-2 Gaffney Drive, Parcel Number 8-40-108.000 from Commercial to Planned Development District #2 and to Change the Approved Zoning Classification of 234-238 Glenn Avenue, 419 Glenn Avenue, 233 Stanton Street and M151 Carlton Avenue, Parcel Numbers 8-19-206.100, 8-19-207.100, 8-18-322.000 and 8-18-303.000 from Residence C to Planned Development District #2

Introduced by Council Member Ryan J. Henry-Wilkinson

BE IT ORDAINED where Howard Ganter of The ARC of Jefferson-St. Lawrence has made an application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning classification of VL-2 Gaffney Drive, Parcel Number 8-40-108.000 from Commercial to Planned Development District #2 and to change the approved zoning classification of 234-238 Glenn Avenue, 419 Glenn Avenue, 233 Stanton Street and M151 Carlton Avenue, Parcel Numbers 8-19-206.100, 8-19-207.100, 8-18-322.000 and 8-18-303.000 from Residence C to Planned Development District #2, as shown on plans submitted to the City Planning and Community Development Department on April 23, 2020, and

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its May 5, 2020 meeting and adopted a motion recommending that City Council approve the zone change, and

WHEREAS City Planning Staff referred the proposed zone change to the Jefferson County Planning Board, pursuant to New York State General Municipal Law Section 239-m, and

WHEREAS a public hearing was held on the proposed zone change on June 1, 2020, after due public notice, and

WHEREAS the City Council has made a declaration of Negative Findings of the impacts of the proposed zone change according to the requirements of SEQRA, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change,

NOW THEREFORE BE IT ORDAINED that the approved zoning classification shall be changed for VL-2 Gaffney Drive, Parcel Number 8-40-108.000 from Commercial to Planned Development District #2 and the approved zoning classification shall be changed for 234-238 Glenn Avenue, 419 Glenn Avenue, 233 Stanton Street and M151 Carlton Avenue, Parcel Numbers 8-19-206.100, 8-19-207.100, 8-18-322.000 and 8-18-303.000 from Residence C to Planned Development District #2, as shown on plans submitted to the City Planning and Community Development Department on April 23, 2020, and

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect the zone change, and

BE IT FURTHER ORDAINED this amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or otherwise printed as the City Manager directs.

Seconded by Council Member Lisa A. Ruggiero

Motion was made by Council Member Ryan J. Henry-Wilkinson to schedule a Public Hearing on the foregoing ordinance for Monday, June 1, 2020 at 7:30 p.m. Motion was seconded by Council Member Jesse C.P. Roshia and carried with all voting in favor thereof.

Ordinance No. 2 - Changing the Approved Zoning Classification of 1348, 1352 and 1356 Washington Street, Parcel Numbers 14-21-106.000, 14-21-107.000 and 14-21-108.000 from Residence B to Neighborhood Business

Introduced by Council Member Ryan J. Henry-Wilkinson

BE IT ORDAINED where Michael Altieri, P.E., of BCA Architects & Engineers, has made an application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law, to change the approved zoning classification of 1348, 1352 and 1356 Washington Street, Parcel Numbers 14-21-106.000, 14-21-107.000, and 14-21-108.000 from Residence B to Neighborhood Business, and

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its May 5, 2020 meeting and adopted a motion recommending that City Council approve the zone change, and

WHEREAS a public hearing was held on the proposed zone change on June 1, 2020, after due public notice, and

WHEREAS the City Council has made a declaration of Negative Findings of the impacts of the proposed zone change according to the requirements of SEQRA, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change,

NOW THEREFORE BE IT ORDAINED that the approved zoning classification of 1348, 1352 and 1356 Washington Street, Parcel Numbers 14-21-106.000, 14-21-107.000, and 14-21-108.000 shall be changed from Residence B to Neighborhood Business, and

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect the zone change, and

BE IT FURTHER ORDAINED this amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or otherwise printed as the City Manager directs.

Seconded by Council Member Lisa A. Ruggiero

Motion was made by Council Member Ryan J. Henry-Wilkinson to schedule a Public Hearing on the foregoing ordinance for Monday, June 1, 2020 at 7:30 p.m. Motion was seconded by Council Member Jesse C.P. Roshia and carried with all voting in favor thereof.

STAFF REPORTS

NYSDEC Municipal Separate Storm Sewer Systems (MS4) Annual Report

Mayor Smith explained that this is a yearly report on the quality of the City's systems which includes how the system performs during storm events and overflow situations. He noted that the City has ongoing efforts to separate the storm and waste sewer lines wherever possible, but that it is a long, complicated process in many areas where there is no place to connect.

NEW BUSINESS

HUD Requirements for CDBG Expenditures

Council Member Henry-Wilkinson asked Mr. Mix to look into what HUD would require in order to spend the CDBG money on programs cut from the City's budget.

Mr. Mix explained that it would be possible to divert some money to organizations such as CAPC if the money was directed toward a specific program.

Budget Wrap-Up

Council Member Roshia thanked Mr. Mix and all the Department Heads for their hard work on getting the tax increase down and minimizing the cuts in services.

Return of Privilege of the Floor

Council Member Ruggiero informed Council that she had received several comments and complaints about the lack of Privilege of the Floor in meetings held during the Covid-19 pandemic. She urged Council to reinstate this in some way as soon as possible, perhaps electronically. She mentioned specifically that the public had not had any opportunities to comment on the budget.

Steven D. Alteri Pool Closing

Council Member Ruggiero informed Council of the many accomplishments of Mr. Alteri, the pool's namesake. She explained that he had served his country, as a Lt. Col. in the Army in World War II, his County as a member of the Jefferson County Board of Supervisors as 8th Ward Supervisor and his City as a Councilman for 15 years. She stated that his family, who feel the pool is their family's legacy, was very disappointed not to have been involved in discussions of closing that pool and wanted an explanation for the decision.

Mayor Smith responded that he knew a great deal about Mr. Alteri and noted that he was proposing to rename the new pool at Thompson Park in continuing recognition of his service.

BUDGET DISCUSSION

Prior to opening discussion on the budget, Mayor Smith noted that he expected to wrap up the budget tonight and adjourn until Tuesday to pass it. He also mentioned that they would be applying to Senator Schumer's office for leniency on the spending of CDBG money.

Mr. Mix reminded Council that the money could go to an organization like CAPC as long as the money was program-specific.

Mayor Smith announced that, in discussions with staff and Council, it had been decided that the following alterations would be made to the budget:

- \$10,000 for CAPC
- \$10,000 for Flower Memorial Library
- \$50,000 to the Zoo at Thompson Park
- Reinstatement of two positions to the IT Department

In regards to the Zoo, Mayor Smith noted that, unlike cancelling a recreation program for a year, or laying off personnel, if the Zoo were to close, it would be a permanent loss to the City of Watertown. He added it would then cause the City more problems, including what to do with the animals and how to maintain the buildings. He noted that no decision in this budget was easy but that the priorities were adding back in funding for the Library, CAPC and the Zoo as well the personnel in IT. He went on to state that he feels the overall public belief is that there is a lot of fat in the City budget, but that is simply not the case. He described the budget as "bare bones."

Assessment (Page 35)

Turning attention to page 35, City Assessor Brian Phelps indicated that there was a strong possibility there would be more grievances in the coming year, particularly with businesses, in light of the Covid-19 hardships. He explained that those grievances were the largest single cost to his department because of court costs.

Planning (Page 159)

Planning and Community Development Director Michael Lumbis gave an overview of the department and the Annual Action Plan. He also noted that the completed Comprehensive Plan was on the desk in front of each Council Member. He explained that the CARES Act was going to offer some flexibility, particularly in the timeframes to put together the plan, requiring a 5-day public comment period rather than a 30-day period. He also offered Council the opportunity to make suggestions on using the additional CDBG money.

In response to Council Member Ruggiero's inquiry on the largest projects the department faced, Mr. Lumbis cited Sewall's Island, the new Zoning Ordinance efforts and the end of the Steve Bradley Project. On the latter, he explained that this was a pass-through grant, meaning the money would come to the City and go directly to the project. He also mentioned a grant from the New York Department of State for Waterfront Revitalization, which only required \$5,000 by the City.

Mayor Smith requested that the department be proactive about the annual crow problem in the upcoming season by any means necessary.

Mr. Lumbis suggested that Loomacres do a presentation for Council on their methods of hazing.

In response to Mayor Smith's questions on when the work for the update to the Zoning Ordinance would begin, Mr. Lumbis indicated the first step would be forming the steering committee. He suggested it should be a small group comprised of a Zoning or Planning board member, a member of Council, an interested citizen and a local developer. He stressed that the new Zoning Ordinance should be a working tool for everyone involved.

Purchasing (Page 32)

In response to Council Member Ruggiero's questions about the reach and quality of bids received electronically, Purchasing Manager Dale Morrow indicated that it had gone very well and her office had just received some chemical bids that were very low.

Mayor Smith noted the availability of pre-spec'ed fleet cars and asked about purchasing those to save money.

Ms. Morrow indicated that those had already been approved for use by Council and had been purchased.

Human Resources (Page 51)

Replying to questions about big changes or things that the department needed to keep up on, Human Resources Manager Matthew Roy explained that technology was his primary concern. He noted that he is still using spreadsheets to track everything, and he indicated that he hoped when the City purchased a new financial software system, there would be an HR module. As for future plans, Mr. Roy explained that in the near future there would need to be some policy and procedures in case OSHA or PESH should check in on the City.

Information Technology (Page 75)

Before discussing the budget for IT, Mayor Smith informed IT Manager David Wurzburg that Council had agreed to restore the two positions in his department.

Mr. Wurzburg thanked Council and said his staff appreciated Council's efforts.

Mayor Smith expressed his desire to keep the City working towards being at the forefront of efficiency by staying ahead of the curve and this would be achieved through technology.

As an overview of the department's budget, Mr. Wurzburg noted the need for underlying infrastructure, such as changes to the phone and backup systems, and he stated that these types of improvements do not take the spotlight but are crucial.

In response to Council Member Compo's inquiries about what progress the department had made in creating the City's new website, Mr. Wurzburg said that, prior to the pandemic, his department had been "rounding third" in their efforts to build the website, but everything was currently and temporarily on hold.

Mayor Smith instructed the IT Manager to work toward making sure online services were available after hours and suggested tablets for Council to eliminate some paper waste.

Council Member Ruggiero agreed with the Mayor that tablets would maximize efficiency.

Adoption of Budget and Pool Discussion

Mr. Mix asked Council to hold off on adopting the budget until 6:30 on June 1 to allow the City the maximum time to find out what the State aid might be.

In response to Mayor Smith's query as to whether Council could adopt the budget sooner and then re-adopt after the State aid number was known, Mr. Mills stated that might be risky particularly for assessment purposes. He noted that although Council re-adopts the budget throughout the year, the City only gets one chance to set the tax levy and he advised Council to wait until June 1.

Responding to Council Member Roshia's question about the impact of the Red and Black cancelling their season, Mr. Mills stated it would be about \$3,500.

Council Member Ruggiero suggested having a public hearing for comments on the budget on June 1 before the budget is adopted. She said many people have complained about their lack of ability to comment on the budget, including items like the elimination of the pool which was not in the original budget cuts.

Mr. Mills advised that because of a technicality, the June 1 public hearings will be part of the June meeting and the adjourned May meeting would have to be closed first, thereby adopting the budget.

Mr. Mix explained that having a public hearing on the budget during the adjourned May meeting on June 1 would be too late to make any changes to the budget before it was adopted. He suggested adjourning tonight's meeting to sometime before then to hold the hearings.

Mr. Mills offered a suggestion that Council could set up a public comment video conference before June 1 to receive public input.

Mayor Smith noted that in previous years, outside of the budget's original public hearing, there has never been any public commentary on the budget proceedings. He indicated that the public has always had the ability to call, email or otherwise speak to members of Council, noting that he tries for 100% response on any communications he receives.

Council Member Ruggiero argued that, in the past, Privilege of the Floor had always offered that opportunity for the public to speak, but in this time of the pandemic, the public had no way to express themselves.

Members of Council all indicated that they were always receptive to any public input.

Council Member Roshia noted that there was not another regular Council meeting before June 1 in which a potential virtual Privilege of the Floor might have been held.

Council Member Ruggiero reminded Council that in the last public meeting in March they had been advised not to make any major decisions while meetings were closed to the public, stating that closing the pool was major decision. She added that re-naming the Thompson Park Pool for Mr. Alteri was a nice gesture but his family was from the area surrounding the current Alteri pool. She commented that closing the pool at this time had nothing to do with the current budget and people were upset. She went on to offer her opinions on the importance of a pool as a tourism tool.

In response to Council Member Henry-Wilkinson's question about whether the identity of pool users could be determined to see if they were low to moderate income, Mr. Mix explained that it could possibly be determined where pool users lived but it would be nearly impossible to determine their income levels.

Mayor Smith noted that he did not consider the closure of a pool to be a major decision, comparing it to raising the tax rate or eliminating jobs, which he did consider major decisions. He noted that closing the pool would save the City \$80-100,000 per year.

Council Member Ruggiero stated that a splash pad was not a suitable alternative to a pool and that it was aimed at younger children. She also noted that building one was a City expense of nearly \$500,000.

Council Member Roshia explained that a one-time cost of \$500,000, with almost no future operational costs, was still better than the \$100,000 annual operating costs that a pool means for the City. He added that he would have a hard time justifying closing the pool if the City were not already providing its residents two additional pools. He further noted that relying on a pool to raise money through tourism was an unguaranteed revenue source.

Council Member Ruggiero suggested "mothballing" the pool until it was affordable in a future budget.

Mayor Smith stated that there was no support for that and clarified that the closing of a pool should not have been a foreign idea to anyone paying attention during last year's election. He commented that pools are open 8-10 weeks per year and the City already provides two pools. He said paying for something to be "mothballed" is not a wise investment.

Council Member Ruggiero requested that a resolution be presented on a future meeting to put this decision in writing and “spell it out.”

Mayor Smith declined noting it had been decided in the budget negotiations and the pool would be eliminated.

Moving on to the tax rate, Mayor Smith asked if all members of Council were comfortable with not going over the tax cap of 1.9%.

Council Members Compo and Henry-Wilkinson concurred that they did not wish to go over the tax cap.

Council Member Roshia mentioned a memo already provided to Council regarding recommended changes to the proposed Fiscal Year 20/21 Budget (on file in the City Clerk’s Office) and that it stated the percentage was decreased from 6.64% to 4.69%.

Mr. Mills responded that this was more or less correct and indicated there were just a few minor changes which would not alter the budget all that much.

Council Member Roshia asked for the cumulative effect of Council’s changes to the budget.

Mr. Mills replied that the cumulative change in the budget was about \$200,000, noting the \$10,000 for CAPC, \$10,000 for Library books, \$50,000 for the Zoo, \$10,000 contributed from Council salaries, and the addition of the two IT positions at a cost of \$140,000 was a net increase to the budget of \$200,000. In regards to the tax levy, he informed Council they would have to find an additional \$275,000.

Mayor Smith asked for clarification that this would mean taking \$475,000 from the General Fund.

Mr. Mills indicated that this was correct and advised Council not to take money from the General Fund because of the uncertainty of the State aid and sales tax.

For the benefit of the public listening at home, Mayor Smith explained that the General Fund balance is not just extra money sitting in an account but is money used to keep the City afloat until various payments arrive, and used so the City will not have to borrow to pay bills.

Council agreed to keep the tax levy at 1.9% and to use money from the General Fund to pay any difference.

Prior to the adjournment of the meeting, there was discussion about having one more meeting before the June 1 meeting to provide the public an additional opportunity to offer their input. Since no member of Council had any conflicts, they agreed to meet on Tuesday May 26 at 6 p.m.

ADJOURNMENT

At the call of the chair, meeting was duly adjourned at 8:40 p.m. until May 26, 2020 at 6 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.

Lisa M. Carr
Deputy City Clerk