

**CITY COUNCIL MEETING
CITY OF WATERTOWN
August 3, 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

The City Manager presented the following reports to Council:

- Resolution No. 1 - Approving the 2016-2020 Tentative Agreement Between the City of Watertown and the Watertown Professional Firefighters' Association
- Resolution No. 2 - Amending the Resolution Approving the Site Plan for the Watertown Golf Club, 1 Thompson Park, Parcel Number 12-26-104.000
- Resolution No. 3 - Approving Venue Agreement with LiveBarn Inc.
- Resolution No. 4 - Authorizing Sale of Real Property Known as 13 Shepard Purchase, Parcel No. 14-16-214.000 to Albert E. Gault
- Resolution No. 5 - Authorizing Amendment #5 to Agreement with GHD Consulting Services, Inc. for Phase 1B of the Sludge Disposal Modifications Project
- Resolution No. 6 - Approving Interlocal Agreement Between the City of Watertown and County of Jefferson, Justice Assistance Grant Program
- Resolution No. 7 - Requesting that Governor Andrew M. Cuomo Sign Bill No. A10514/S8302 Reducing the Number of City Court Judges in the City of Watertown
- Resolution No. 8 - Finding That Amending Section 216-2 of The City Code by Adding a Designated Parking Area in Thompson Park Will Not Have Any Significant Adverse Environmental Impacts
- Ordinance No. 1 - Amending Section 216-2 of the City Code to Add a Designated Parking Area in John C. Thompson Park
- Public Hearing - Amending the City's Community Development Block Grant (CDBG) 2020 Annual Action Plan
- Public Hearing - Amending the City's Community Development Block Grant (CDBG) Citizen Participation Plan
- Tabled - Resolution Finding That Changing the Approved Zoning Classification of 1348, 1352, and 1356 Washington St., Parcel Numbers 14-21-106.000, 14-21-107.000, and 14-21-108.000 from Residence B to Neighborhood Business Will Not Have a Significant Impact on the Environment
- Tabled - Ordinance 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
- Laid Over Under the Rules - An Ordinance Authorizing the Issuance Pursuant to Sections 90.00 or 90.10 of the Local Finance Law of Refunding Bonds of the City of Watertown, Jefferson

County, New York, to be Designated “Public Improvement Refunding (Serial) Bonds”, and Providing for Other Matters in Relation Thereto and the Payment of the Bonds to be Refunded Thereby

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 July 20, 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 a flag be raised in front of City Hall “in the name of God”. He also discussed his concerns over his recent arrest and his belief that the recent space launch was not real and the information about it is misleading.

Jason Traynor, 142 Mechanic Street, read from the Bible and spoke of his thoughts on how it relates to the Coronavirus pandemic.

Jonathan Phillips, 735 Mill Street, expressed concerns over the traffic delays created by the lane reduction on lower Arsenal Street, as well as the condition of the City sidewalks and streets. He later readdressed Council suggesting that solar panels be installed on City buildings as a source of revenue.

Patrick O’Connor, Point Peninsula, addressed Council stating he has been a landlord in the City for 33 years and owns many rental properties. He indicated that he recently lost two properties because he missed the deadline to pay the taxes. He explained the situation leading up to him taking the property back from Ricky Frazer, his original mistake in having the wrong due date, the fact that he showed up on the due date with a personal check but the Comptroller’s Office would not accept it and his inability to obtain a certified check on the same day.

John Doldo, 439 Harris Drive, spoke about the proposed amendments to the Watertown Golf Club’s site plan and said he does not know why the City leaders would go out of the way to solve parking issues for the Watertown Golf Club. He asked why the City would take on the liability of the possible pollution of the parking area. He also expressed concern over the value of properties surrounding Ives Hill Golf Course decreasing if the club was to close.

Deon, Franklin Street, told Council that he does not feel there is enough for children to do within the City in order to encourage them to stay away from drugs.

PUBLIC HEARING

At 7:15 p.m. Mayor Smith asked the City Clerk to read the notice of Public Hearing concerning a proposed amendment to the City's Community Development Block Grant (CDBG) 2020 Annual Action Plan.

Mayor Smith declared the hearing open at 7:15 p.m.

Aileen Martin, Northern Regional Center for Independent Living, spoke through videoconference stating she appreciates the improvements to the sidewalks of Grant Street and the ADA accessibility ramps in Thompson Park.

Chris Kubis, Northern Regional Center for Independent Living, spoke through videoconference and mentioned that he supports the improvements to Thompson Park and the playground. He suggested replacing the groundcover under the playground equipment with a rubberized material which is more accessible for handicap mobility.

Pat Connor, Northern Regional Center for Independent Living, spoke through videoconference stating he is grateful for the accessibility improvements at Thompson Park.

Mayor Smith declared the hearing closed at 7:20 p.m.

At 7:20 p.m. Mayor Smith asked the City Clerk to read the notice of Public Hearing concerning a proposed amendment the City's Community Development Block Grant (CDBG) Citizen Participation Plan.

Mayor Smith declared the hearing open at 7:20 p.m.

No one spoke.

Mayor Smith declared the hearing closed at 7:21 p.m.

Later in the meeting prior to discussing the staff reports on the agenda, Mayor Smith referred back to the Public Hearing regarding the additional funding of the Community Development Block Grant. Mayor Smith mentioned that he has seen online comments containing misinformation, noting in particular one stating the City has received "bailout money" but is not opening pools. He pointed out that Council asked, upon receiving notification of this additional funding due to COVID-19, if it could be used for playgrounds and pool costs, but it can only be used for specific purposes. He noted for the public's knowledge, and for people that are misinformed, that the Council used \$100,000 for food banks serving people that are less fortunate or not working. He listed the amounts given to each, as well as the School District's Backpack Program. He also pointed out the improvements done to the North Hamilton Playground, the ADA ramps done in Thompson Park and the sidewalks done on Grant Street, which will serve many students walking to school. He commended staff and Council for their work on this and the decisions that were made.

Council Member Ruggiero agreed, highlighting the many ADA ramps that have been installed throughout the City as well as in Thompson Park. In regard to using this money towards sidewalk

improvements, she stated a constituent requested if this funding could go towards his bill for sidewalk improvements done last year since he falls within a target area.

Mr. Mix explained that the money cannot be used towards any projects that have already been completed. He added that in regard to using the funds towards pool expenses, the pool serves the City as a whole and the City as a whole does not qualify as low-to-moderate income.

RESOLUTIONS

Resolution No. 1 - Approving the 2016-2020 Tentative Agreement Between the City of Watertown and the Watertown Professional Firefighters' Association

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the 2011-2014 Employment Contract between the City of Watertown and the Watertown Professional Firefighters' Association expired on June 30, 2014, and

WHEREAS an arbitration award covered the period of July 1, 2014 thru June 30, 2016, and

WHEREAS the parties have agreed to a Tentative Agreement which will cover the period of July 1, 2016 thru June 30, 2020,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves the Tentative Agreement between the City of Watertown and the Watertown Professional Firefighter's Association, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that Mayor Jeffery M. Smith is hereby authorized and directed to execute this Tentative Agreement on behalf of the City, the terms of which will be incorporated into the Collective Bargaining Agreement.

Seconded by Council Member Lisa A. Ruggiero

Prior to the vote on the foregoing resolution, Council Member Ruggiero offered kudos to Council Member Roshia for being on the bargaining team, noting it was a different approach than what has been done in the past. She mentioned that it has been a six-year fight and she commended both sides for getting the contract to where it is now.

Council Member Henry-Wilkinson also offered his thanks for the efforts put into this contract, particularly by Council Member Roshia. He indicated that he had concerns that negotiations would have stayed where they were in the past and he was pleased to see the progress toward the future.

Council Member Roshia thanked the negotiating team including Attorney Slye, Mr. Mix and HR Manager Matthew Roy.

Mayor Smith stated that this has been an ongoing issue since before he was elected, and cited his concerns about what this contract will mean for the City's finances, particularly as the City heads to the end of the hydro contract in 2029. He advised that the number one issue that had to be addressed was minimum manning. He offered comparisons between other cities the size of Watertown, including

Auburn, Elmira, Lockport, Jamestown and Saratoga, which demonstrated that the City of Watertown's minimum manning number is significantly larger than any of those cities. He also stated that 80% of the City's Fire Department staff does not live in the City of Watertown, and so, are not affected by the City's finances. He pointed out that this suggested those firemen seem to be comfortable with living in areas where there is only a volunteer fire department. He stated that the City of Watertown's Fire Department's insistence on a minimum manning of 15 is not genuine. Mayor Smith went on to note the number of layoffs in other departments of the City, including the Police Department and Parks and Recreation Department, and he mentioned the pay cuts faced by Management and Council while the Fire Department continues to cite the need for minimum manning of 15. Mayor Smith remarked that the Fire Department often suggests they want to be seen as equivalent to the Police Department but then cited numerous statistics and examples of how the Police Department does more with less staff and does not require minimum manning or a higher ranking officer in every vehicle. He stated that the Police Department answered 26,784 calls with a staff of 62, and compared that to the Fire Department responding to fewer than 3,000 calls with a staff of 69. He mentioned that Watertown is the only community of this size that has more firemen than policemen, noting that firemen are allowed to sleep during their shift, whereas policemen are not. Reiterating the fiscal problems of the City and recent layoffs, Mayor Smith said he did not support this agreement, but will vote in conjunction with the rest of Council because it brings the contract up to date and allows negotiation of the minimum manning going forward. Lastly, he encouraged the 80% of the Fire Department that live outside the City to move into the City limits and become part of the community.

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

Resolution No. 2 - Amending the Resolution Approving the Site Plan for the Watertown Golf Club, 1 Thompson Park, Parcel Number 12-26-104.000

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City Council of the City of Watertown, at its April 6, 2020 meeting, approved a request for Site Plan Approval submitted by Michael E. Lundy, President of Watertown Golf Club, Inc., for the construction of 320, 480 and 3,744 square-foot (SF) buildings, an 800 SF building addition, a 2,400 SF event tent, a 50-space parking lot and associated site improvements at the Watertown Golf Club, 1 Thompson Park, Parcel Number 12-26-104.000, and

WHEREAS the City Council, as part of the site plan approval process, completed the environmental review for the project and declared that the proposed construction and site plan constituted an Unlisted Action for the purposes of SEQRA and determined that the project will not have a significant impact on the environment, and

WHEREAS the site plan was approved with several conditions including Condition Number 6 which read as follows:

- 6. The applicant must remediate current parking lot and septic tank upon direction of the City Engineer.**

And,

WHEREAS the City Council wishes to amend Condition Number 6 in the resolution,

NOW THEREFORE BE IT FURTHER RESOLVED by the City Council of the City of Watertown that Condition Number 6 in the Resolution dated April 6, 2020, that granted Site Plan Approval to Michael E. Lundy, President of Watertown Golf Club, Inc., for the construction of 320, 480 and 3,744 square-foot (SF) buildings, an 800 SF building addition, a 2,400 SF event tent, a 50-space parking lot and associated site improvements at the Watertown Golf Club, 1 Thompson Park, Parcel Number 12-26-104.000, is hereby amended to read as follows:

- 6. The applicant must remediate the septic tank upon direction of the City Engineer.**

Seconded by Council Member Jesse C. P. Roshia

Prior to the vote on the foregoing resolution, Council Member Ruggiero asked if this should go back to the Planning Board for review of the change.

Mr. Mix explained that it is not required and reminded Council that condition number 6 was added by Council without it going back to the Planning Board for review.

Council Member Ruggiero pointed out that the applicant was to be responsible for remediation of the area and wondered if this now makes the City liable for any environmental issues that were caused by the Watertown Golf Club.

Mr. Mix replied that during prior discussions the word “remediation” was used in terms of topsoil and seeding, but there was never a discussion of environmental issues. He said it was not the best word to describe what was discussed and offered the word “restoration” as a better description.

Council Member Ruggiero mentioned the Master Plan for Thompson Park that was done in 1985 and suggested that it be reviewed and updated for the potential growth of the park for things such as an amphitheater and added parking. She also suggested speaking to the Zoo to evaluate their parking needs prior to making this change to the site plan. Mentioning that the reason Council voted to close this area for parking was because it was not up to code for handicap accessibility, she asked what the cost would be to bring it into compliance. Lastly, she indicated that the only people that park there are users of the Watertown Golf Club and she has received complaints that the only one benefiting from this is the Watertown Golf Club.

Mayor Smith clarified that this resolution does not deal with parking and that it only deals with the requirement of the applicant to bring in topsoil and reseed the area.

Mr. Mix pointed out that if the ordinance listed later in the agenda passes, then this change to the site plan would be necessary.

Mayor Smith listed the prior encroachments onto City property and stated they had all been resolved except the water pipes and pump house, which involves City pipes as well.

Mr. Mix informed Council that after the septic tank was dug up, it was discovered that it was not on City land and it was only a portion of the leach field that was encroaching. Mr. Mix responded to questions about the Master Plan done in 1985 and provided more information on the ordinance listed later in the agenda. He clarified that it would be considered a parking area, not a parking lot, and discussed the possible plans for adding parking throughout the park.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea except Council Member Lisa A. Ruggiero voting nay.

Resolution No. 3 - Approving Venue Agreement with LiveBarn Inc.

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City of Watertown owns and operates a facility known as the Watertown Municipal Arena, a community recreational facility, and

WHEREAS the City of Watertown desires to promote recreational activities at the Watertown Municipal Arena for the valid public purpose of the benefit, recreation, entertainment, amusement, convenience and welfare of the people of the City, and

WHEREAS in pursuit of that valid public purpose, the City of Watertown desires to enter into a Venue Agreement with LiveBarn Inc. to promote live and on demand broadcasting of amateur and youth sporting events at the Watertown Municipal Arena which will be available to anyone with a subscription plan,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Venue Agreement between the City and LiveBarn Inc., a copy of which is attached hereto and made part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute the Venue Agreement on behalf of the City of Watertown.

Seconded by Council Member Jesse C. P. Roshia

Prior to the vote on the foregoing resolution, Mayor Smith explained that LiveBarn will allow the events to be broadcast through a subscription.

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

Resolution No. 4 - Authorizing Sale of Real Property Known as 13 Shepard Purchase, Parcel No. 14-16-214.000 to Albert E. Gault

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City of Watertown owns a certain lot of land known as 13 Shepard Purchase, approximately 50'x 100' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 14-16-214.000, and

WHEREAS said real property has never been assigned by the City Council for a public use, and

WHEREAS said the City has received a purchase offer for said real property from Albert E. Gault and

WHEREAS Albert E. Gault owns an adjacent lot of land known as 286 Barben Avenue, approximately 100'x 122' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 14-16-203.000, and

WHEREAS the City Council desires Albert E. Gault to merge the two lots of land known as 13 Shepard Purchase (parcel number 14-16-214.000) and 286 Barben Avenue (parcel number 14-16-203.000) into one parcel, and

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$100.00 submitted by Albert E. Gault for the purchase of Parcel No. 14-16-214.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey M. Smith, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Albert E. Gault upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not merged with the lot of land known as 286 Barben Avenue (parcel number 14-16-203.000) within three (3) months of the City's delivery of the deed to the buyer, the City shall have the right to seek reversion of title to the City.

Seconded by Council Member Jesse C. P. Roshia and carried with all voting yea.

Resolution No. 5 - Authorizing Amendment #5 to Agreement with GHD Consulting Services, Inc. for Phase 1B of the Sludge Disposal Modifications Project

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS, GHD Consulting Services Inc., and the City of Watertown entered into an Agreement dated September 16, 2016 to perform engineering services for design and construction of Phase 1B Sludge Disposal Modifications, and

WHEREAS the Construction Phase was scheduled to have a Final Completion date of December 2, 2020, and

WHEREAS due to delays associated with the COVID-19 pandemic, the construction is anticipated to be complete in April 2021, and

WHEREAS the Engineer requests an Amendment for the additional cost of Construction Administration services and Resident Representative services, and

WHEREAS the additional Construction Administration and Resident Representative services will increase the contract by an estimated \$96,300,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes amending the GHD agreement with Amendment #5, a copy of which is attached and made part of this resolution, to include the additional services in the amount of \$96,300 bringing the total contract amount to \$950,845, and

BE IT FURTHER RESOLVED that the City Manager, Kenneth A. Mix, is hereby authorized and directed to execute Amendment #5 of the Agreement on behalf of the City of Watertown.
Seconded by Council Member Lisa A. Ruggiero and carried with all voting yea.

Resolution No. 6 - Approving Interlocal Agreement Between the City of Watertown and County of Jefferson, Justice Assistance Grant Program

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City of Watertown applied for and has been awarded federal funding under the Justice Assistance Grant Program, and

WHEREAS the funding is allocated to the City of Watertown and County of Jefferson, and

WHEREAS an Interlocal Agreement between City of Watertown and County of Jefferson is required to share the funds, a copy of which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Interlocal Agreement between the City of Watertown and County of Jefferson, and

BE IT FURTHER RESOLVED that Mayor Jeffrey M. Smith is hereby authorized and directed to sign the Interlocal Agreement.

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

Resolution No. 7 - Requesting that Governor Andrew M. Cuomo Sign Bill No. A10514/S8302 Reducing the Number of City Court Judges in the City of Watertown

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS, the State Legislature amended the New York Uniform City Court Act and New York Judiciary Law to increase the number of judges in several City Courts throughout the State, which amendment took effect on April 1, 2014; and

WHEREAS, among the changes made by the Legislature was an increase in Watertown City Court Judge positions from one full-time City Court Judge and one part-time City Court Judge (1/4 time) to two full-time City Court judgeships; and

WHEREAS, the initial proposal of the ad hoc City Court Advisory Committee of the State's Chief Administrative Judge recommended, in its initial report to the State Legislature, that the City of Watertown remain at one and one-quarter judgeships; and

WHEREAS, the ad hoc Advisory Committee's report made specific findings that, in connection with municipalities where the number of judgeships would be increased, there had been a process of statewide consultation with Mayors and a review of facilities of affected cities, to include the "suitability and sufficiency of existing courtrooms and other facilities to accommodate the proposed new and expanded judgeships;" and

WHEREAS, the political process resulted in amendments to the legislation calling for two full-time Watertown City Court judgeships in lieu of the ad hoc Advisory Committee's recommended one and one-quarter judgeships; and

WHEREAS, the amended legislation was referred back to the ad hoc Committee for its comments; and

WHEREAS, the ad hoc Committee re-issued its report, recommending the assignment of two full-time judges to the Watertown City Court, but made no changes in connection with its comments that there had been a process of statewide consultation with Mayors and that the "facilities were suitable and sufficient to accommodate the proposed new and expanded judgeships, including courtrooms;" and

WHEREAS, effective April 1, 2014, the new legislation went into effect, creating two full-time elected judgeships in the City of Watertown; and

WHEREAS, the City Council of the City of Watertown believes that the original allocation of one and one-quarter judges, one of which was elected and the other was appointed by the Mayor with the advice and consent of City Council, was and is sufficient to handle the workload of Watertown City Court; and

WHEREAS, the City of Watertown's Mayor was never consulted concerning the expansion of elected judgeships and, regardless of the ad hoc Committee's claim that facilities were sufficient, the Office of Court Administration has now insisted that the City expand its facilities, to include an additional courtroom, to accommodate a judgeship which was never requested and is not necessary; and

WHEREAS, the City Council of the City of Watertown believed that it was in the best interests of the City to ask its elected officials, at the State level, to introduce legislation designed to reduce the City of Watertown City Court judgeships to one and one-quarter judgeships, to be filled in the same manner as existed prior to the 2014 legislation; and

WHEREAS, one of the City of Watertown's existing City Court Judges is running unopposed for a judgeship at the County level, the election to which, and taking of that oath of office, will create a vacancy in that position as of December 31, 2020, and the timing is appropriate to request legislation, now, to be in effect at the end of this calendar year; and

WHEREAS, the New York State Assembly and the New York State Senate introduced and passed Bills No. A10514 and S8302, respectively, designed to amend the Uniform City Court Act and the Judiciary Law in relation to Watertown City Court judges, and

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Watertown, that it respectfully requests that Governor Andrew M. Cuomo sign the home rule request known as Bills No. A10514 and S8302 designed to reduce the City of Watertown City Court judgeships to 1 1/4 judgeships, to be filled in the same manner as existed prior to the 2014 amendment to the New York Uniform City Court Act and New York Judiciary Law.

Seconded by Council Member Lisa A. Ruggiero

Prior to the vote on the foregoing resolution, Council Member Compo thanked State Officials for their assistance with this.

Mayor Smith offered thanks as well and explained he will send this to the Governor with a letter. He mentioned that support for this in both houses was almost unanimous.

Council Member Roshia thanked Mayor Smith for pushing this through.

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

Resolution No. 8 - Finding That Amending Section 216-2 of The City Code by Adding a Designated Parking Area in Thompson Park Will Not Have Any Significant Adverse Environmental Impacts

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City Council of the City of Watertown, New York, is considering an Ordinance that amends Section 216-2 of the City Code by adding a designated parking area within John C. Thompson Park “along both sides of the gravel drive connected to the Watertown Golf Club’s westerly parking lot, with parking perpendicular to the drive,” and

WHEREAS the City Council must evaluate all proposed actions in light of the State Environmental Review Act (SEQRA), and the regulations promulgated pursuant thereto, and

WHEREAS designating parking areas within John C. Thompson Park would constitute such an “Action,” and

WHEREAS the City Council has determined that designation of said parking constitutes an Unlisted Action as that term is defined by 6NYCRR Section 617.2 (al), and

WHEREAS there are no other involved agencies for SEQRA review as that term is defined in 6NYCRR Section 617.2 (t), and

WHEREAS to aid the City Council in its determination as to whether the proposed parking designation will have any significant adverse environmental impacts, Part 1 of a Short Environmental Assessment Form has been prepared by staff, a copy of which is attached and made part of this Resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that:

1. Based upon its examination of the Short Environmental Assessment Form and comparing the proposed action with the criteria set forth in 6NYCRR Section 617.7, no significant impact is known and the designation of said parking area will not have any significant adverse environmental impacts.
2. The Mayor of the City of Watertown is authorized to execute the Environmental Assessment Form to the effect that the City Council is issuing a Negative Declaration under SEQRA.
3. This Resolution shall take effect immediately.

Seconded by Council Member Jesse C. P. Roshia

Rules waived by Motion of Council Member Ryan J. Henry-Wilkinson, seconded by Council Member Jesse C. P. Roshia and carried with all voting in favor thereof.

Prior to the vote on the foregoing resolution, Council considered Part 2 of the Short Environment Assessment Form.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea except Council Member Lisa A. Ruggiero voting nay.

ORDINANCES

Ordinance No. 1 - Amending Section 216-2 of the City Code to Add a Designated Parking Area in John C. Thompson Park

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS parking is a typical incidental use within parks that is necessary for public access, and

WHEREAS Section 216-2 lists the designated parking areas within Thompson Park, and

WHEREAS as the City Council has determined that it is in the public interest to designate a parking area in Thompson Park along the gravel drive connected to the Watertown Golf Club's westerly parking lot,

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Watertown, NY that it hereby amends Section 216-2 of the City Code by adding the following to the list of designated parking areas in Paragraph D: "Along both sides of the gravel drive connected to the Watertown Golf Club's westerly parking lot, with parking perpendicular to the drive," and

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

Seconded by Council Member Jesse C. P. Roshia

Motion for unanimous consent moved by Council Member Ryan J. Henry-Wilkinson, seconded by Council Member Jesse C. P. Roshia and carried with all voting in favor thereof.

Council Member Henry-Wilkinson asked if there would be problems with ADA since the area is not paved.

Mr. Mix explained that it is hard to address ADA in all areas of the park because some areas have extreme slopes. He noted that there are plenty of ADA parking spots in the parking lots and the designated spots along the road.

Council Member Ruggiero reiterated her earlier stated concerns which she stated earlier, stressing that she cannot justify spending money to improve the lot when City employees have recently lost their jobs.

In response to Council Member Roshia's question of whether there is an intention to spend City money improving the area, Mayor Smith said it will be left as is.

Mr. Mix added that there is no intention of making improvements, but if a section within the area was to be washed away or damaged, then gravel would be brought in to repair that section.

Council Member Roshia commented that he understands the perception of helping only one business, but mentioned that the only time the parking area is fully utilized is during tournaments, which he pointed out are held as fundraisers for many valuable organizations within the community. He concluded that the parking area will benefit many in this situation. He also expressed concern of safety issues if cars park along the road in that area.

Council Member Compo agreed with the safety issues of parking along the road.

Discussion turned to future changes and possible improvements within the park and the need to evaluate additional parking, in particular a second parking lot separate from this area.

Regarding the thought that this designated parking area only benefits one business, Mayor Smith pointed out that the City provides public parking for many businesses and mentioned the downtown area. In regard to concerns over the City expending money to defend a lawsuit which benefits Watertown Golf Club, Mayor Smith stated that the reason the City went to court is because it was sued and by the City Charter, the City must defend all lawsuits against it. He noted the Appellate Division sided with the City's defense and had Attorney Slye provide a brief summary of the findings from the Appellate Division's decision.

In addition, Attorney Slye addressed the concerns of the watershed encroaching on City property and reminded Council that the statute of limitations of the deed reversion clause was 10 years, which has long since expired.

Mayor Smith went on to address all the points that Mr. Doldo had made during Privilege of the Floor, noting that Mr. Doldo had already left Council Chamber but he had hoped that Mr. Doldo would have stayed to hear his response.

At the call of the chair, a vote was taken on the foregoing ordinance and carried with all voting yea except Council Member Lisa A. Ruggiero voting nay.

OLD BUSINESS

Resolution - Finding That Changing the Approved Zoning Classification of 1348, 1352, and 1356 Washington St., Parcel Numbers 14-21-106.000, 14-21-107.000, and 14-21-108.000 from Residence B to Neighborhood Business Will Not Have a Significant Impact on the Environment. *(Introduced on 6/1/2020; tabled; appears in its entirety in the 2020 Minutes Book on page 11-12 of the 6/1/2020 minutes).*

Remained tabled.

Ordinance - 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 on 5/18/2020; tabled; appears in its entirety in the 2020 Minutes Book on page 5-6 of the 5/18/2020 minutes).*

Remained tabled.

An Ordinance Authorizing the Issuance Pursuant to Sections 90.00 or 90.10 of the Local Finance Law of Refunding Bonds of the City of Watertown, Jefferson County, New York, to be Designated “Public Improvement Refunding (Serial) Bonds”, and Providing for Other Matters in Relation Thereto and the Payment of the Bonds to be Refunded Thereby. *(Introduced on 7/20/2020; laid over; appears in its entirety in the 2020 Minutes Book on page 12-19 of the 7/20/2020 minutes).*

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

STAFF REPORTS

August 10th Work Session

Mayor Smith announced that the August work session will be held next Monday and it will begin at 6:00 p.m.

Academy Street Playground Ribbon-Cutting

Mayor Smith indicated that the ceremony was held prior to tonight’s meeting and he commended staff for their work on this.

Thompson Park Pool Ribbon-Cutting

Mr. Mix informed Council that the ceremony was already scheduled for August 14 at 11:45 a.m. He explained that he needed Council’s authorization to contract out the proposed bus shuttle because there are not enough bus drivers to accommodate a shuttle service up to the Thompson Park Pool. He stated that the City could do a request for proposal with a quick turnaround in order to have it in place for next week. He added that staff is still working on whether there could be FTA reimbursement for it.

Mayor Smith said he is in favor of this recommendation and suggested pickup locations to be at the Northside Pool and Fairgrounds Pool.

Council concurred with Mayor Smith.

NEW BUSINESS

Mr. O'Connor Request to Purchase his Property Back (135 North Rutland Street and 703 Franklin Street) – Privilege of the Floor

Mayor Smith explained there is a three-year process before the City takes a property for unpaid taxes. He said this is a difficult decision but it is hard to make exceptions and not set precedent.

Noting he was not in attendance at the last meeting when this was discussed, Council Member Roshia asked if there were any issues in the past with Mr. O'Connor not paying taxes in the 33 years of being a landlord. He said he would be in favor of reconsidering this.

Mayor Smith recounted incidents in the past when similar situations had occurred and warned about setting precedents. He asked where the City draws the line in order to be consistent.

Council Member Ruggiero explained her reason for supporting giving the property back is because Mr. O'Connor tried to pay on the due date but the Comptroller's Office would not accept it since it was a personal check.

City Comptroller James Mills entered Council Chambers and stated that he has not researched Mr. O'Connor past payment history.

Council Member Compo commented that she is certainly sympathetic, but that it is a slippery slope and more people might have similar requests.

Council Member Henry-Wilkinson explained that last year he supported giving a property back to the owner because the gentleman was living in the home, but in this case, it is a landlord so he supports sticking to the City's policy.

Mr. O'Connor spoke to Council explaining his situation and why he feels his request should be reconsidered.

In response to Council's questions, Mr. Mills provided information on the City's policy and process. He noted that a certified, return receipt letter for each property was sent to Mr. O'Connor on March 13 and Mr. O'Connor signed for both letters on March 15. He added that the letter specifically states that payment must be made by cash, certified check or official bank check.

After further discussion, Attorney Slye recommended a motion be made with a formal vote.

Motion authorizing the sale of real property known as 135 North Rutland Street and 703 Franklin Street to Patrick O'Connor was made by Council Member Ryan J. Henry-Wilkinson. Motion was seconded by Council Member Jesse C. P. Roshia.

Rules waived by Motion of Council Member Ryan J. Henry-Wilkinson, seconded by Council Member Jesse C. P. Roshia and carried with all voting in favor thereof.

At the call of the chair, a vote was taken on the foregoing motion and defeated with Council Member Sarah V. Compo, Council Member Ryan J. Henry-Wilkinson, and Mayor Jeffrey M. Smith voting nay and Council Member Jesse C. P. Roshia and Council Member Lisa A. Ruggiero voting yea.

Mayor Smith concluded that the property should go to public auction to be sold. He also offered further explanation that a 4/5's vote is required in order for the City to sell property so this motion was defeated.

Concerns with Watertown Golf Club - Mr. Doldo's Comments During Privilege of the Floor

Mr. Doldo returned to Council Chambers and Mayor Smith readdressed the points he made previously in the meeting during Mr. Doldo's absence regarding his concerns and questions.

Mr. Doldo restated some of his prior comments and a lengthy discussion occurred regarding his concerns over possible environmental contamination due to the fueling of golf carts and that the owner of Watertown Golf Club was to be responsible for remediation of the property.

Mr. Mix noted that the topic of remediation of the parking area during prior Council meetings referred only to topsoil and seeding, and never to environmental remediation.

Council Member Ruggiero stated she understood Mr. Doldo's concerns and said she wondered as well if there was oil residue from its prior use.

Outdoor Dining

Council Member Compo stated she had received complaints of bicycles driving on the sidewalk where outdoor dining has been permitted and indicated there are safety concerns. She also mentioned that she received a request from City Dawgz Food Truck to set up a picnic table close to where they serve food on Arsenal Street across from the County building.

Bus Transfer Station - Mr. Phillips' Comments During Privilege of the Floor

Council Member Henry-Wilkinson asked if the MPO had any recommendations regarding moving the bus transfer site or whether routes should be reevaluated.

Mayor Smith said there was some discussion about it at the last meeting, but there was nothing official.

Mr. Mix advised that an update from the MPO was scheduled for the September work session.

Zoning Rewrite Meeting

Council Member Henry-Wilkinson stated that there is a meeting scheduled for next week.

Flag at Half-Staff

Mentioning the Governor's Office had ordered the flag to be at half-staff due to Covid-19, Council Member Roshia asked if it would be kept that way indefinitely.

Mr. Mix replied that there was no end date given, so it will fly that way until the City hears otherwise from the Governor's Office.

Academy Street Playground

Council Member Ruggiero mentioned that the ribbon cutting was tonight and stated this is a nice improvement to the City.

Fire Contract Agreement

Council Member Ruggiero said she is happy to see this portion done so that negotiations could move forward. She pointed out that it is hard to negotiate minimum manning going backwards into the past four years and that the mediator mentioned that the City probably would not win in arbitration.

Mr. Mix confirmed that negotiations cannot go back into the past for minimum manning and health insurance.

Attorney Slye pointed out the important thing is that this puts the City in the best position to move forward.

Patrick Hickey - Fundraising for Pool and Neighborhood Watch

Mr. Hickey was asked to address Council and provided an update on his fundraising efforts for the City pool. He advised that he has been working with Rande Richardson and other staff of Northern New York Community Foundation, and, without any publicity, he has already been given approximately \$2,000.

Mr. Hickey also provided a status update on the Neighborhood Watch Program, stating they have four zones with leaders. He added that they have already identified individuals involved in suspicious behavior and provided the information to the Police Department.

ADJOURNMENT

At the call of the chair, meeting was duly adjourned at 9:54 p.m. by motion of Council Member Ryan J. Henry-Wilkinson, seconded by Council Member Jesse C. P. Roshia and carried with all voting in favor thereof.

Ann M. Saunders
City Clerk