

**CITY COUNCIL MEETING
CITY OF WATERTOWN
September 8, 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: Vicky Murphy, Michael Delaney

The City Manager presented the following reports to Council:

- Resolution No. 1 - Reappointment to the Development Authority of the North Country Board, Thomas H. Hefferon
- Resolution No. 2 - Approving a Fundraising Event in Thompson Park Past Normal Closing Hours
- Resolution No. 3 - Accepting Bid for WTP Pump House Stonewall Repointing Project, Heritage Masonry Restoration, Inc.
- Resolution No. 4 - Approving Bureau of Code Enforcement Over-hire and Re-adoption of the Fiscal Year 2020-21 General Fund Budget
- Resolution No. 5 - Authorizing Acceptance of Federal Emergency Management Agenda (FEMA) Firefighters Assistance Grant (AFG), Fire Department
- Resolution No. 6 - Authorizing an Application for Tree Planting Through the New York State Urban Forestry Council (NYSUFC)
- Resolution No. 7 - Approving Agreement for Repair And Maintenance of the Town Clock And Bell Between Steven S. Massaro, the City of Watertown and the Trustees Of First Baptist Church Society
- Resolution No. 8 - Accepting Change Order Nos. 06G and 07G for Water Pollution Control Plant Sludge Disposal Modifications Project Phase 1B, C.O. Falter
- Resolution No. 9 - Accepting Change Orders No. 3 and No. 4 for Water Pollution Control Plant Sludge Disposal Modifications Project for Phase 1B, S&L Electric
- Resolution No. 10 - Accepting Change Order No.02H for Water Pollution Control Plant Sludge Disposal Modification Project Phase 1B, Ontario HVAC
- Resolution No. 11 - Amending the Agreement Between the City of Watertown and Loomacres Wildlife Management to Establish and Administer A Winter Crow Roost Dispersal Program
- Resolution No. 12 - Authorizing the City Manager to Execute The Grant Disbursement Agreement with Empire State Development for the City of Watertown Comprehensive Plan
- Resolution No. 13 - Halting Demolition of Alteri Pool
- Ordinance No. 1 - An Ordinance Authorizing the Issuance of \$250,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Rehabilitation of the Exterior of the Pump House Building, in and for Said City

- 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
- Justice Assistance Grant (JAG) Program, Interlocal Agreement Between the City of Watertown and County of Jefferson – Public Hearing
- Veterans’ Memorial Riverwalk Mural Proposal from the DBA
- Board and Commission Appointments

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 August 17, 2020 and adjourned meeting of August 24, 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 Notice of Application and Public Hearing for a Special Use Permit for Telecommunications Facility Application of St. Lawrence Seaway RSA Cellular Partnership (Verizon Wireless) for the location of 19079 US Route 11, Watertown, New York was received in accordance with Chapter 104 of the Town of Watertown Code Section 104-8(W) which requires notice be provided to the legislative board of adjacent municipalities.

An email was received from Neil Katzman, thanking Jefferson County Dispatch, the Police Department and the Fire Department for the great job that they all did at his recent motor vehicle accident.

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

A Notice of Claim was received from John W. Eisenhauer and Kathleen Anne McGlynn Eisenhauer, seeking to annul the elections results from the Watertown City School District election on June 16, 2020 and solely as it pertains to Proposition No. 1, prohibiting any effort to collect a library tax from claimants.

Above claim has been referred to the Board of Audit.

PRIVILEGE OF THE FLOOR

Jason Traynor, 142 Mechanic Street, addressed the chair concerning an encounter he had with the Police Department at Price Chopper on September 9 and he asked that the mindset of the officers be retrained.

Jonathan Phillips, 735 Mill Street, thanked the City for getting a bus that more people can fit on. He also spoke in opposition of closing the Fairgrounds pool and asked that the decision wait until after the COVID-19 pandemic is over.

Joseph Wessner, 126 Monroe Avenue, informed Council that he is the President of the Downtown Business Association (DBA) and there is a proposal in front of Council to bring artwork down to the Veterans' Memorial Riverwalk. He explained that the proposal is for a series of murals and community art, which will be followed up with an Art Festival every year. He stated that it is a way to bring art into the downtown area and he is willing to provide more information or answer Council's questions.

Donnie Lee Barrigar, 134 Union Street, thanked Mayor Smith for meeting with him recently to discuss his issues of concern. He also questioned the cost of the demolition of the Fairgrounds pool and asked the City to help in an investigation of his flat earth theory.

Mykel Myrick, 134 Keyes Avenue, stated he is a local musician and active in the community. He spoke in support of the Riverwalk Art project, stating he has seen the power that creativity and art can bring to people. He also said that the murals will bring out the natural beauty of the landscape and will draw people down to the Riverwalk area.

RESOLUTIONS

Resolution No. 1 - Reappointment to the Development Authority of the North Country Board, Thomas H. Hefferon

Introduced by Council Member Ryan J. Henry-Wilkinson

RESOLVED that the following individual is reappointed to the Development Authority of the North Country Board for a four-year term, such term expiring on September 17, 2024:

Thomas H. Hefferon
456 Lachenauer Drive
Watertown, NY 13601

Seconded by Council Member Lisa A. Ruggiero

Prior to the vote on the foregoing resolution, Mayor Smith said that he recently spoke with Mr. Hefferon and thanked him for all the work that he does on behalf 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 - Approving a Fundraising Event in Thompson Park Past Normal Closing Hours

Introduced by Council Member Sarah V. Compo

WHEREAS the regular hours of enjoyment for the Thompson Park for all residents year-round is 7:00 a.m. to 9:00 p.m., and

WHEREAS a fundraising event is planned for May 8, 2021 to benefit an organization titled

“Miles for Moose” which includes a 57-mile relay,

THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves the event in Thompson Park on May 8, 2021 to allow the participants of “Miles for Moose” to vacate the premises later than 9:00 p.m.

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

Resolution No. 3 - Accepting Bid for WTP Pump House Stonewall Repointing Project, Heritage Masonry Restoration, Inc.

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City Purchasing Department has advertised and received sealed bids for WTP Pump House Stonewall Repointing Project, as per City specifications, and

WHEREAS bid invitations were also issued to Bid Net with five (5) sealed bids submitted to the Purchasing Department, and

WHEREAS on Wednesday, August 12, 2020, at 2:00 p.m., the bids received were publicly opened and read, and

WHEREAS the City Purchasing Department reviewed the bids received with City Engineering, and it is their recommendation that the City Council accept the bid submitted by Heritage Masonry Restoration Inc. in the amount of \$236,000,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid of Heritage Masonry Restoration, Inc. in the amount of \$236,000 for WTP Pump House Stonewall Repointing Project as the lowest qualified bidder meeting our specifications, and

BE IT FURTHER RESOLVED that approval of this resolution is contingent upon Council also approving the bond ordinance to fund this project, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to sign all contracts associated with implementing the award to Heritage Masonry Restoration Inc.

Seconded by Council Member Lisa A. Ruggiero

Prior to the vote on the foregoing resolution, Mayor Smith asked why there was a large disparity in the amount of the bids that were received.

City Engineer Michael Delaney explained that the higher bidders based their bids on the entire square footage of the building without prioritizing only the areas that need to be repaired. He indicated that the lowest bidder isolated the certain areas that had to be repaired, and that is why there is a discrepancy. He confirmed that all the bidders were allowed to meet with staff onsite to see the areas that needed to be repaired and that they were aware the City was not interested in repointing the whole building.

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

Resolution No. 4 - Approving Bureau of Code Enforcement Over-hire and Re-adoption of the Fiscal Year 2020-21 General Fund Budget

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City of Watertown Bureau of Code Enforcement is presently operating under its FY 2020-21 Budget of three full-time enforcement personnel, and

WHEREAS there are two pending retirements expected in December and February, and

WHEREAS sufficient time for training and education for the two new Code Enforcement Officers is needed before the retirees leave City employment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves hiring two additional Code Enforcement Officers at this time, bringing the total Bureau of Code Enforcement to two over the current budget of three full-time enforcement staff, and

BE IT FURTHER RESOLVED that the City Engineer and Code Enforcement Supervisor are hereby authorized and directed to proceed with the requested over-hire, and

BE IT FURTHER RESOLVED that the City Council of the City of Watertown hereby re-adopts the Fiscal Year 2020-21 General Fund Budget to add one Code Enforcement Officer position, and

BE IT FURTHER RESOLVED that the City Council of the City of Watertown hereby authorizes the following adjustments be included in the re-adopted General Fund Budget:

| | | |
|----------------|-------------------------------------|-------------|
| <u>GENERAL</u> | | |
| <u>FUND</u> | | |
| A.1990.0430 | Contingency | \$ (26,500) |
| A.3620.0130 | Code Enforcement - Wages | \$ 15,550 |
| A.3620.0810 | Code Enforcement - Retirement | \$ (1,900) |
| A.3620.0830 | Code Enforcement - Social Security | \$ 1,200 |
| A.3620.0850 | Code Enforcement - Health Insurance | \$ 11,650 |
| | Total | <u>\$ -</u> |

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

Resolution No. 5 - Authorizing Acceptance of Federal Emergency Management Agenda (FEMA) Firefighters Assistance Grant (AFG), Fire Department

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS on February 18, 2020 City Council authorized the City of Watertown Fire Department to prepare an application that meets the intended purpose of the Federal Emergency Agency (FEMA) grant, which will allow the Department to purchase much needed supplies, and

WHEREAS this grant application was for funding in the amount of \$79,337 with a required City match of \$8,815, and

WHEREAS the grant was accepted by the deadline of August 30, 2020 to avoid losing the funds,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the acceptance of the grant award for the amount of \$79,337 with a required City match of \$8,815 from the Federal Emergency Management Agency (FEMA) Firefighters Assistance Grant (AFG).

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

Resolution No. 6 - Authorizing an Application for Tree Planting Through the New York State Urban Forestry Council (NYSUFC)

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS, the New York State Urban Forestry Council (NYSUFC) has recently announced the availability of funding for tree planting in Tree City USA communities, and

WHEREAS, the City of Watertown's street tree advisory board, Tree Watertown, has recommended that the City apply for a no match tree planting grant through the NYSUFC's - Tree City USA Reward Grant, and

WHEREAS, 2020 marks the 20th consecutive year that the City of Watertown has been designated a Tree City USA, and

WHEREAS, the City of Watertown has made the planting, care and management of City owned trees a priority over the last two decades in the wake of several devastating storms in the 1990's, and

WHEREAS, the NYSUFC's tree planting grant opportunity will allow for 3-4 trees to be planted on prominent display along the 200 Block of Washington Street within the City's Downtown Arboretum as replacements for trees removed earlier this season,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes and endorses the City's application to the NYSUFC for tree planting funding under the Tree City USA Reward Grant, and

BE IT FURTHER RESOLVED that City Manager, Kenneth A. Mix, is hereby authorized and directed to apply for tree planting funding through this program on behalf of the City of Watertown.

Seconded by Council Member Lisa A. Ruggiero

Prior to the vote on the foregoing resolution, Mayor Smith commented that this will be nice for the downtown area and will help to replace some of the damaged ash trees.

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

Resolution No. 7 - Approving Agreement for Repair And Maintenance of the Town Clock And Bell Between Steven S. Massaro, the City of Watertown and the Trustees Of First Baptist Church Society

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the Trustees of the First Baptist Church Society is the owner of a church building located at 207 State Street, Watertown New York, which consists of, in part, a clock tower that houses a clock and bell owned by the City of Watertown which is in need of repair and on-going maintenance, and

WHEREAS on August 6, 2007, City Council approved a long term Lease Agreement between the City of Watertown, and the First Baptist Church Society for the purpose of providing the City access for maintaining, repairing, and/or replacing the Town Clock, and

WHEREAS Steven S. Massaro is a skilled mechanic and is willing to donate his services to repair and maintain the clock and bell,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement for Repair and Maintenance of the Town Clock and Bell between Steven S. Massaro, the City of Watertown and the Trustees of First Baptist Church Society, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Kenneth A. Mix is hereby authorized and directed to sign the Agreement on behalf of the City of Watertown.

Seconded by Council Member Lisa A. Ruggiero

Prior to the vote on the foregoing resolution, Mayor Smith provided the history of the clock tower in the First Baptist Church, noting the unique situation of the clock and the bell tower being owned by the City. He thanked Pastor Smith and Mr. Massaro for getting this project going and making it so the iconic bell will ring again.

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

Resolution No. 8 - Accepting Change Order Nos. 06G and 07G for Water Pollution Control Plant Sludge Disposal Modifications Project Phase1B, C.O. Falter

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS, C.O. Falter and the City of Watertown entered into an Agreement dated May 2, 2019 for the Water Pollution Control Plant Sludge Disposal Modifications Project for the total amount of \$5,757,101, and

WHEREAS C.O. Falter submitted Change Order No. 06G to provide a pumped mixing system for Primary Digester No.2, per attached documents, an increase in the contract price of \$65,997.30, and

WHEREAS C.O. Falter submitted Change Order No. 07G to provide a three (3) foot corbel extension, modify the engine exhaust system, provide left-hand exit waste gas burner panel, per attached documents, an increase in the contract price of \$93,383.84,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts Change Order No. 06G in the amount of \$65,997.30 and Change Order No. 07G in the amount

of \$93,383.84, for the Water Pollution Control Plant Sludge Disposal Modifications Project, copies of which are attached and made part of this resolution, bringing the total Project amount to \$5,960,364.03, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to sign all documents necessary to accept Change Order No.'s 06G and 07G on behalf of the City of Watertown.

Seconded by Council Member Jesse C. P. Roshia

Prior to the vote on the foregoing resolution, Water Superintendent Vicky Murphy explained that the change orders are because some items from the original project did not need to be done, so there was extra money, which then allowed worked scheduled for Phase 2 to be pushed forward. She confirmed that the project is still within budget and the amount of the bond that was issued in 2016.

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

Resolution No. 9 - Accepting Change Orders No. 3 and No. 4 for Water Pollution Control Plant Sludge Disposal Modifications Project for Phase 1B, S&L Electric

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS, S&L Electric and the City of Watertown entered into an Agreement dated May 2, 2019 for the Water Pollution Control Plant Sludge Disposal Modifications Project for the total amount of \$405,000, and

WHEREAS S&L Electric submitted Change Order No. 03E for electrical work to support the relocation of equipment, an increase in the contract price of \$1,137.00, and

WHEREAS S&L Electric submitted Change Order No. 04E to provide electrical work to support the installation of a pumped mixing system in Primary Digester No. 2, in the amount of \$12,308.00,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts Change Order No. 03E in the amount of \$1137 and Change Order No. 04E in the amount of \$12,308 for the Water Pollution Control Plant Sludge Disposal Modifications Project, copies of which are attached and made part of this resolution, bringing the total Project amount to \$438,912, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to sign all documents necessary to accept Change Order No.'s 03E and 04E on behalf of the City of Watertown.

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

Resolution No. 10 - Accepting Change Order No.02H for Water Pollution Control Plant Sludge Disposal Modification Project Phase 1B, Ontario HVAC

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS, Ontario HVAC and the City of Watertown entered into an Agreement dated May 2, 2019 for the Water Pollution Control Plant Sludge Disposal Modifications Project for the total amount of \$353,000, and

WHEREAS Ontario HVAC submitted Change Order No. 01H on December 20, 2019, to provide additional hydronic piping, fittings, and accessories, an increase in the contract price of \$19,389.48, and

WHEREAS Ontario HVAC submitted Change Order No. 02H on August 20, 2020 to repair a natural gas line, demolish a duct in conflict with a skylight in the Control Building unloading area, replace and relocate a duct to the roof, and removal and replacement of the hot water supply/hot water return (HWS/HWR) and process water lines in mezzanine, an increase in the contract price of \$21,727.62,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts Change Order No. 02H, a copy of which is attached and made part of this resolution, in the amount of \$21,727.62 for the Water Pollution Control Plant Sludge Disposal Modifications Project, bringing the total Project amount to \$394,117.10, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to sign all documents necessary to accept Change Order No. 02H 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 mentioned, for the record, that the last three change orders are maintained within budget and stayed within what was bonded for in 2016.

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

Resolution No. 11 - Amending the Agreement Between the City of Watertown and Loomacres Wildlife Management to Establish and Administer A Winter Crow Roost Dispersal Program

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City of Watertown has an urban crow roost that is a threat to human health and safety, causes damage to buildings and cars, and results in associated clean up costs, and

WHEREAS the City of Watertown is entering the second year of a three-year contract with Loomacres Wildlife Management for professional services to alleviate the nuisance of crows within the City and to administer a crow roost dispersal program, and

WHEREAS the City wishes to amend the contract to establish an earlier start date to the defined harassment season and to establish an option for Loomacres to train designated City personnel in crow harassment activities,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the amended Agreement prepared by Loomacres Wildlife Management to establish and administer a crow dispersal program, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that the City Council hereby authorizes and directs the City Manager, Kenneth A. Mix, to execute the Agreement on behalf of the City of Watertown.

Seconded by Council Member Sarah V. Compo

Prior to the vote on the foregoing resolution, Mayor Smith noted that there is an option for Loomacres to help train City staff. He asked if the DEC has been contacted about providing any training.

City Manager Mix indicated that City Planner Geoffrey Urda has spoken with the DEC but they are still working out the details.

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

Resolution No. 12 - Authorizing the City Manager to Execute The Grant Disbursement Agreement with Empire State Development for the City of Watertown Comprehensive Plan

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS Empire State Development (ESD) awarded the City of Watertown a \$90,000 Urban and Community Development Program – RC7 Strategic Planning grant to prepare a Comprehensive Plan for the City of Watertown, and

WHEREAS the City Council adopted a resolution at its March 19, 2018 meeting accepting the incentive proposal for the project from ESD, and

WHEREAS the City Council adopted a resolution on December 2, 2019 formally adopting the completed Comprehensive Plan, and

WHEREAS the City received notification from ESD on July 30, 2020 that the project had received Chief Executive Officer (CEO) approval, and

WHEREAS on August 5, 2020, ESD sent the City a Grant Disbursement Agreement package for the City to execute, and

WHEREAS the City of Watertown must enter into the Grant Disbursement Agreement with ESD prior to submitting payment requests to receive reimbursement for the project,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes and directs the City Manager, Kenneth A. Mix, to execute the Grant Disbursement Agreement with ESD, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager is authorized to act on behalf of the City Council in all further matters related to the financial assistance for this project.

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

Resolution No. 13 - Halting Demolition of Alteri Pool

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS information has become known about the State funding for the construction of the Steven D. Alteri Pool in 1973 that may put restrictions on its demolition,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that the demolition of Steven D. Alteri Pool shall be halted until such time as the restrictions of the State funding on demolishing the pool are fully known, and

BE IT FURTHER RESOLVED that the pool shall be properly winterized to prevent damage during the up-coming winter.

Seconded by Council Member Lisa A. Ruggiero

Prior to the vote on the foregoing resolution, Council Member Ruggiero referred to the 1973 grant agreement that was used to fund the construction of the Fairgrounds pool and said that she is concerned by paragraph 24 and paragraph 25. She noted that any replacement to the pool was to be for a recreational use and asked the other Council Members what the Fairground pool would be replaced with. Reading from paragraph 25, she advised that she interprets the wording “shall be maintained” to mean that it must be maintained and stated that she feels there are a lot of questions that need to be answered before the pool is demolished. She also mentioned there was a comprehensive pool study done around 2010 or 2011 and asked if she could review the report. Regarding the thought that the Fairgrounds pool needs repair, Council Member Ruggiero said she thinks it is in good working order and listed the dollar amounts and recent improvements that have been done in the last few budget years. Lastly, she suggested implementing a fee for the use of the pool to assist with the annual operating costs.

Mayor Smith advised that he had spoken to the State and received information from the Senate Finance Committee. He reported that prohibitions of the sale or disposal of property partially funded by the State only last for either the life of the bonds used for the funding or the expected useful life of the project. Mentioning that they are usually the same amount, he stated the expected life of a pool is traditionally about 20 years, and that is what it is bonded for, but this pool is 47 years old. He mentioned the idea that the State will come back and take away funding 50 years later, and added he was told that it would not happen. He stressed that grants are not in perpetuity and listed examples of other items and projects paid for by grant funds that are not expected to be the same or exist for 50 years.

Council Member Compo advised that she has worked with State grants regularly but has never seen the State come back telling the grantee that they have to pay it back.

Council Member Ruggiero clarified that she is worried that this might affect the City’s ability to be awarded grants in the future.

Council Member Roshia commented that he was surprised and a little upset that this had appeared on the agenda again, noting that it has been a extremely difficult decision for Council and the community on both sides of the issue. He said this has already been discussed several times and to continue to drag this out is an exercise in futility, which is painful for this community. He stressed that the closure of the Fairgrounds pool is not about COVID-19 and the City’s finances today or post COVID-19 when revenue rebounds, and clarified that it is about the long-term sustainability of three pools because a City of this size cannot sustain three pools. Mentioning that the “that’s the way it has always been” mentality is what is bankrupting municipalities and making business sink, he said the City of Watertown cannot continue this way, especially heading into the end of the hydro contract in the FY 2030 budget. He argued that the City needs to take progressive steps now to ensure that there is a financially viable City moving forward. Reiterating that this has been a difficult decision for the community, he remarked that it cannot be dragged out any more and it is time to move forward and let the wounds heal.

Council Member Ruggiero pointed out that 1,600 people signed a petition in support of the Fairgrounds pool and noted that when it came to the Thompson Park pool, there was not a petition or protests like this. Mentioning that a splash pad has been suggested as a replacement, she questioned whether a City this size should have two splash pads. Lastly, she stressed that it does not cost the City anything to leave it as is and advised that the money that would be spent on demolition should go towards hiring back the Police Officers that were recently laid off.

Mayor Smith agreed that this was not an easy decision and stressed this is not about COVID-19 or revenues coming back, or about today or tomorrow. He said that this is about financial planning for five or ten years down the road when a \$6 million loss in revenue hits the City. He remarked that the easy political decision would be to vote to keep three pools open, kick the can down the road and let someone in ten years figure it out. Noting the population of the City of Watertown is approximately 25,000 people, he cited the benchmarks for the number of pools in a community per the population, which are set by National Parks and Recreation Association and in other similar-sized communities. He provided examples of several communities within New York State with fewer pools than Watertown. Regarding the cost for demolition, he referred to the August 10 meeting in which three separate options were given and provided details and costs of each, and he also discussed the average operational costs for each pool. He pointed out that people are not coming to Watertown, New York because it has three pools and said the reality is that people are leaving New York State and Jefferson County because of the financial outlook and the lack of jobs. Lastly, he stressed that the City needs to get its finances in order for the next ten years.

At the call of the chair, a vote was taken on the foregoing resolution and defeated with all voting nay except for Council Member Ryan J. Henry-Wilkinson and Council Member Lisa A. Ruggiero yea.

ORDINANCES

Ordinance No. 1 - An Ordinance Authorizing the Issuance of \$250,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Rehabilitation of the Exterior of the Pump House Building, in and for Said City

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS, it appears necessary to rehabilitate the exterior of the pump house building, which is a Type II Action within the meaning of the State Environmental Quality Review Act and requires no environmental review thereunder; 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 the specific object or purpose of paying the cost of the rehabilitation of the exterior of the pump house building, including repointing masonry, in and for the City of Watertown, Jefferson County, New York, and including incidental expenses in connection therewith, there are

hereby authorized to be issued \$250,000 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 specific object or purpose is \$250,000 and that the plan for the financing thereof is by the issuance of the \$250,000 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 specific object or purpose is fifteen years, pursuant to subdivision 12 of paragraph a of Section 11.00 of the Local Finance Law, because the pump house building is at least a class "B" building within the meaning of subdivision 11 of said paragraph a.

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 specific object or purpose 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 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.

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

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.

STAFF REPORTS

Justice Assistance Grant (JAG) Program, Interlocal Agreement Between the City of Watertown and County of Jefferson – Public Hearing

City Manager Mix explained the memo, stating it is a non-competitive grant and part of the process is to allow the public an opportunity to make comments.

Motion was made by Council Member Ryan J. Henry-Wilkinson to schedule a Public Hearing to consider approving the grant application to the Justice Assistance Grant Program for Monday, September 21 at 7:15 p.m. Motion was seconded by Council Member Lisa A. Ruggiero and carried with all voting in favor thereof.

Veterans' Memorial Riverwalk Mural Proposal from the DBA

Mayor Smith stated there is a proposal to paint artwork along the retaining wall of Black River Parkway. He asked if the proposed artwork would be sent to staff and Council for approval.

Mr. Wessner (who spoke earlier regarding this under Privilege of the Floor) explained that they are working on criteria for the artwork in order to contract with the artist and make sure it matches that, but it will be sent to the City for review as well. He added that they are looking at family-friendly art which will be nonpolitical as well.

Council Member Roshia thanked Mr. Wessner and Mr. Myrick for undertaking this project.

Council Member Compo agreed, adding that she has heard complaints of graffiti in certain areas in that vicinity and she thinks that this might deter people from doing that, as well as make it an attractive space.

Mayor Smith suggested adding an element of Watertown's history in the mural and noted that the City's train depot used to be near that location.

Mr. Wessner advised that they were thinking of doing something to reflect Watertown's past through future.

Council Member Henry-Wilkinson said he has always been supportive of adding artwork to this area.

In response to Council Member Henry-Wilkinson's question, Mr. Wessner explained that they would like to partner with art students to have some of the sections of the murals change yearly and reveal them at an annual Fall Art Festival.

Board and Commission Appointments

Mayor Smith noted there will be a vacancy on the Board of Assessment Review and asked Council for suggestions of individuals that might be interested.

NEW BUSINESS

Margin Near Art's Jug

Council Member Compo mentioned that she had been contacted regarding the condition of the margin area along Art's Jug after recent work had been done and asked that a final solution be found to the property owner's concern.

Women on Watch

Council Member Compo announced that a new group has been formed by Mary Compo Olney called "Women on Watch" and mentioned that a story recently appeared in the media regarding this. She explained that this group has nearly 3,000 members and they are "eyes and ears on the ground" to alert others to things they should be on the lookout for in their community in regard to crime or suspicious activities. She mentioned that a website and kickoff event are in the planning stages.

Artwork on Traffic Control Boxes

Council Member Henry-Wilkinson stated that the City of Ithaca has covered their traffic control boxes with artwork and suggested that the City of Watertown consider this as a way to bring art into the community.

City Flag Proposal

Mentioning the Strategic Plan contained a goal of Pride in City Appearance, Council Member Henry-Wilkinson suggested developing a City Flag. He said he thought it was a good opportunity to work with art students at Jefferson Community College and Watertown High School and suggested holding a contest to create a City Flag. He stated that he would like to meet with the Mayor and City Manager to discuss this further.

Grant Street Construction

Council Member Roshia noted that he received a call from a Grant Street resident concerned that there were markings being put on the street now but the work would not be done until after winter. He said the resident thought the marking work would not last through the winter and would need to be redone.

City Manager Mix explained that sometimes the markings are part of the preliminary design process which is being done now and will not need to be used in the springtime. He said that he will look into it though.

Bravo Italiano Festival

Council Member Ruggiero announced that the Bravo Italiano Festival will be held this Saturday September 11 from 11:00 a.m. to 5:00 p.m. She indicated that they will be serving their traditional items and food as To-Go Service and encouraged the public to attend.

Lower Arsenal Street Crosswalk

Noting that there was a recent accident in which a woman was hit by a vehicle, she asked that this area be reviewed for safety measures and additional signage or markings to indicate the crosswalk better.

Operating Cost of the City Pools/Closing of Fairgrounds Pool

Council Member Ruggiero read from a spreadsheet outlaying the yearly operating costs of the City pools (not on file in the City Clerk's Office) and said the total was \$230,000. She noted that approximately \$143,000 is for labor and benefits, and she said it increased due to the increase in the pay scale recently for lifeguards, which was suggested by Parks and Recreation in order to be more competitive. She said that the City could control this cost by adjusting how long the pools are open, noting that this year the pool hours were limited to 12:00 p.m. to 6:00 p.m. instead of the normal 10:00 a.m. to 7:00 p.m. She said she wondered if those were better hours to use and the City could make a difference in cost by adjusting the hours.

Graffiti on Riverwalk Restrooms

Mayor Smith stated he was contacted about graffiti on the Riverwalk restrooms and suggested installing cameras or better lighting. He also mentioned opening the Riverwalk to one-way traffic, thinking that it would get more use that way and mentioned that it had been tried in the past.

Moody's Bond Rating

Mayor Smith noted that the current rating was released and the City remained at Aa3, but the negative outlook was removed. He said this was positive and good news for the City.

Recent Lawsuit from P.J. Simao and Clifford Olney/Watertown Golf Club

Mayor Smith reported that P.J. Simao has appealed his lawsuit on the 2006 lease of Watertown Golf Course that was lost in the lower court and lost in the Appellate Division. He asked that the Appellate Division rehear it and asked for leave for the Court of Appeals to hear the case. He stressed that Mr. Simao's suit has cost the City taxpayers \$80,000, noting that the City did not ask to be suited, and stated that Mr. Simao thinks that the City could issue a general denial. Noting that he received an email this morning, Mayor Smith stated that Mr. Simao has joined Clifford Olney in a new lawsuit against the City in regard to the parking area that has been adjacent to the golf course for 40+ years, so there will be additional costs to the City.

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

Motion was seconded by Council Member Lisa A. Ruggiero and carried with all voting in favor thereof.

Council moved into Executive Session at 8:28 p.m.

Council reconvened at 8:55 p.m.

ADJOURNMENT

At the call of the chair, meeting was duly adjourned at 8:55 p.m. until Monday, September 14, 2020 at 6:15 p.m. by motion of Council Member Henry-Wilkinson, seconded by Council Member Lisa A. Ruggiero and carried with all voting in favor thereof.

Ann M. Saunders
City Clerk