

**CITY COUNCIL MEETING
CITY OF WATERTOWN
October 5, 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: Michael Lumbis

The City Manager presented the following reports to Council:

- Resolution No. 1 - Appointment of City Constable, Patrick T. Connell
- Resolution No. 2 - Appointment of Deputy City Constable, Robert D. Connell
- Resolution No. 3 - Approving the July 1, 2016-June 30, 2020 Collective Bargaining Agreement with the Watertown Professional Firefighters Association, Local 191
- Resolution No. 4 - Authorizing the Sale of Various Surplus Equipment/ Vehicles, and Sale of Bicycles
- Resolution No. 5 - Rejecting Bids for Water Treatment Plant Soda Ash System Rehabilitation Project
- Resolution No. 6 - Approving the Grant Agreement for the Community Development Block Grant Program Coronavirus Aid, Relief and Economic Security Act (CARES Act) Grant Funding
- 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 Residence C
- Stephen Gilbert Donation to Police Department

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 September 21, 2020, adjourned meeting of September 26, 2020 and adjourned meeting of September 27, 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.

Motion was made by Council Member Ryan J. Henry-Wilkinson to readopt the minutes from May 4, 2020, due to the omission of the documentation in the original minutes of an action taken by Council. Motion was seconded by Council Member Lisa A. Ruggiero and carried with all voting in favor thereof.

COMMUNICATIONS

A petition was received containing 28 signatures from citizens urging City leaders to reject the proposed zoning change of 1348, 1352, and 1356 Washington Street from Residence B to Residence C, as well as reject the proposed development and to preserve their neighborhood.

A letter was received from NYS Department of Public Service Commission announcing that a series of Virtual Public Statement Hearings will be held on September 30, October 1, October 6 and October 7 regarding National Grid's Proposed Electric and Gas Delivery Rates. Information regarding the specific times and dates of the hearings, as well as instructions on how to participate have been listed on the City's website.

A letter was received from NYS Department of Public Service Commission providing guidance regarding the moratorium on disconnecting residential electricity, gas, steam, telephone and water customers during COVID-19 state of emergency.

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

PRIVILEGE OF THE FLOOR

Donnie Lee Barrigar, 134 Union Street, addressed the chair stating the Police Department has been sent to his house 13 times due to videos that he has posted on his YouTube Channel. Mentioning that each time he was found within his rights, he said he feels that he is being harassed.

Mayor Smith clarified that the Police Department is only doing their job and responding to calls made by the citizens.

Jason Traynor, 142 Mechanic Street, spoke to Council about Police harassment and an incident in which he felt that he had been mistreated. He said there needs to be a change and that he is in the process of putting a group together to work towards this change.

Mayor Smith stated that when people call 911 the Police Department do a good job in responding and in a professional manner.

Jonathan Phillips, 735 Mill Street, discussed his concerns with the traffic patterns in the downtown area and the timing of the traffic lights and crosswalks which he feels are unsafe. He also said there are issues with the bus system.

Tony Augliano, 332 West Broadway Avenue, addressed the chair regarding the unpaved portion of Brett Street and his desire to purchase it, along with his neighbor James Baker, from the City. He indicated that he has checked with the adjacent property owners and has a petition with signatures of approval from all the neighbors except two. He explained that one is currently out of town but gave verbal consent, and the other is a 95-year-old woman who did not want to sign but also gave verbal consent. He submitted a copy of the signatures of approval (on file in the City Clerk's Office). He also indicated that he and Mr. Baker are willing to absorb the cost of doing the survey and deed work.

RESOLUTIONS

Resolution No. 1 - Appointment of City Constable, Patrick T. Connell

Introduced by Council Member Ryan J. Henry-Wilkinson

BE IT RESOLVED that the following individual is hereby appointed as City Constable for the City of Watertown for the remainder of the year for this one-year term expiring on December 31, 2020:

Patrick T. Connell
173 Bowers Avenue
Watertown, New York 13601

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

Resolution No. 2 - Appointment of Deputy City Constable, Robert D. Connell

Introduced by Council Member Ryan J. Henry-Wilkinson

BE IT RESOLVED that the following individual is hereby appointed as Deputy City Constable for the City of Watertown for the remainder of the year for this one-year term expiring on December 31, 2020:

Robert D. Connell
115 Fairmont Avenue
Watertown, New York 13601

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

Resolution No. 3 - Approving the July 1, 2016-June 30, 2020 Collective Bargaining Agreement with the Watertown Professional Firefighters Association, Local 191

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City and the Watertown Professional Firefighters Association (“PFA”) concluded an interest arbitration for terms and conditions of employment for the period from July 1, 2014 to June 30, 2016, and

WHEREAS the City and the PFA were able to conclude negotiations for a Collective Bargaining Agreement incorporating the interest arbitration award for that time period and also to continue for the period from July 1, 2016 to June 30, 2020, and

WHEREAS the parties agreed to a Tentative Agreement covering the four-year time period, which tentative agreement was approved by the City Council on August 3, 2020, and

WHEREAS the parties have now incorporated the terms of the interest arbitration award and the Tentative Agreement into one document, being a Collective Bargaining Agreement between the parties covering the period from July 1, 2016 – June 30, 2020,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that the Collective Bargaining Agreement for the period from July 1, 2016 – June 30, 2020, between the City of Watertown and the Watertown Professional Firefighters Association, Local 191, is hereby approved and that the City Mayor, Hon. Jeffrey M. Smith, shall sign the same on behalf of the City.

Seconded by Council Member Lisa A. Ruggiero

Prior to the vote on the foregoing resolution, Council Member Roshia said that he had the privilege to be part of the negotiating team and that this agreement is a good step forward. He pointed out that part of this agreement was that the Fire Department would be willing to discuss minimum manning, which they had not been agreeable to before. He stressed that discussing minimum manning is critical.

Mayor Smith noted that there was a meeting recently with the Fire Department on this topic and an update will be given during this evening's Executive Session.

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

Resolution No. 4 - Authorizing the Sale of Various Surplus Equipment/ Vehicles, and Sale of Bicycles

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City of Watertown has various surplus equipment/vehicles and has also acquired a number of abandoned bicycles, the description of which is attached and made a part of this resolution, and

WHEREAS the various equipment/vehicles and abandoned bicycles may have some value best determined by on-line auction,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby authorizes the sale, by on-line auction, of the various surplus equipment/vehicles and abandoned bicycles as described in the attached listing, and

BE IT FURTHER RESOLVED that final acceptance of such bids shall constitute acceptance of the same by the City Council.

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

Resolution No. 5 - Rejecting Bids for Water Treatment Plant Soda Ash System Rehabilitation Project

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City Purchasing Department has advertised and received sealed bids for WTP Soda Ash System Rehabilitation Project, as per City specifications, and

WHEREAS bid invitations were also issued to area plan houses and (1) one prospective bidder with two (2) sealed bids submitted to the Purchasing Department, and

WHEREAS on Tuesday, August 4, 2020, at 3:00 p.m., the bids received were publicly opened and read, and

WHEREAS Bernier, Carr & Associates, PC reviewed the bids received with the Purchasing Department, and it is Staff's recommendation that the City Council reject the bids received,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown reject the bids received for WTP Soda Ash System Rehabilitation Project, per City specifications, in order for the bid to be re-bid at a later date.

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

Resolution No. 6 - Approving the Grant Agreement for the Community Development Block Grant Program Coronavirus Aid, Relief and Economic Security Act (CARES Act) Grant Funding

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City of Watertown has completed an amendment to its Program Year 2020 Annual Action Plan for the Community Development Block Grant (CDBG) Program to include \$541,672 in funding provided to the City through the Coronavirus Aid, Relief and Economic Security Act (CARES Act), and

WHEREAS the City has submitted the amendment to the U.S. Department of Housing and Urban Development (HUD), and

WHEREAS HUD has approved the City's Amendment to the Annual Action Plan and has prepared a Grant Agreement for the grant funding,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Grant Agreement with the U.S. Department of Housing and Urban Development for the CDBG Program CARES Act Grant Funding, a copy of which is attached and made part of this Resolution, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey M. Smith, is hereby authorized and directed to sign the Agreement on behalf of the City Council.

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

STAFF REPORTS

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 Residence C

Planning and Community Development Director Michael Lumbis provided a summary of the memo. He stated that after the lengthy discussion at the last meeting in which a compromise was suggested to change the proposed zone change to Residence C instead of Neighborhood Business, staff's evaluation of this has resulted in some concerns. He indicated that a change to Residence C would create spot zoning, which is a different use category than what was recommended in the recently adopted Comprehensive Plan. He also addressed the change in verbiage defining Residence C which was needed in order to allow this type of dental office with this number of employees. He expressed concern that the changes to the definition of Residence C would apply to the entire City, which could potentially result in issues in the future. Mr. Lumbis answered questions from Mayor Smith regarding what is on the agenda for the Planning Board to consider at their meeting tomorrow, why the prior zone change

request to Neighborhood Business was not viewed as spot zoning and the details of a Urban Mixed Use zone. He concluded by stating a zone change to Limited Business was a better option and recommended having the Planning Board consider that instead of the change to Residence C.

Council Member Roshia reminded Council that he suggested the option of Limited Business at the last meeting because it represents a fair compromise between the neighborhood residents and the developer, so he would support this.

It was confirmed for Council Member Ruggiero that the Sherman Street residents are in a Residence A zone and she said that she does not think the neighbors would be satisfied with any zone change. She mentioned the petition that was recently submitted in opposition of this and questioned whether a 4/5's vote would be required.

Mr. Lumbis noted that if Council is in agreement then he would brief the Planning Board prior to tomorrow's meeting and notify them that Council would recommend a zone change to Limited Business.

Council Member Henry-Wilkinson said he would support that.

Council Member Compo commented that she is opposed to the zone change because of the neighbors' concerns but is willing to have the Planning Board review this further.

Council Member Ruggiero stated that she has heard from people, including members of the Planning Board that this would affect property values.

Mayor Smith said that the Planning Board should consider this change to Limited Business.

Stephen Gilbert Donation to Police Department

City Manager Mix explained the memo, stating Mr. Gilbert would like to donate \$500, of which a portion will go to charities of the Police Department's choice and a portion will go toward refreshments for the whole department. Mr. Mix recommended that the donation go through the Police Benevolent Association and that Council do a verbal resolution to accept the donation.

Motion was made by Council Member Ryan J. Henry-Wilkinson to accept Mr. Gilbert's donation so that it may be distributed to the Police Benevolent Association. Motion was seconded by Council Member Lisa A. Ruggiero.

Rules waived by Motion of Council Member Ryan J. Henry-Wilkinson, seconded by Council Member Lisa A. Ruggiero and carried with all voting in favor thereof.

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

NEW BUSINESS

Flower Memorial Library Annual Book Sale

Council Member Compo mentioned that the annual book sale, which is a large revenue source, has been cancelled due to the COVID-19 pandemic. In place of it, she explained, the Library is selling books by the bag as a fundraiser and encouraged people to participate.

On-Street Parking on Sherman Street

Council Member Henry-Wilkinson indicated that he sent an email to his colleagues regarding on-street parking on Sherman Street and was looking for feedback.

Mid-Block Crossing on Sherman Street near Brook Drive

Council Member Henry-Wilkinson stated he was contacted by a constituent requesting a mid-block crossing on Sherman Street near Brook Drive so that he could easily cross Sherman Street to continue towards the School campus. Council Member Henry-Wilkinson said that he has mentioned this in the past but it was around the time that the City was transitioning to a new City Engineer, so he wanted to bring it up again so they do not lose sight of it. He suggested the crosswalk may be better by Barben and Sherman Streets.

German Flag Raising

Council Member Ruggiero mentioned that the German Flag will be raised in front of City Hall tomorrow at 10:00 a.m.

Crow Hazing Season

Noting that the weather is getting cold, Mayor Smith said that the crows will be coming back into the City soon and he would like to see staff get ahead of it this year before the destruction occurs.

Mr. Mix said that the Loomacres contract is in place and they are ready to proceed as soon as the crows are first sighted.

Request to Purchase Brett Street (Privilege of the Floor)

Mayor Smith commented that he does not mind a private sale as long as the neighbors are in agreement and the City does not incur any of the costs.

Council Member Compo agreed.

Council Member Roshia agreed as well but added that he would like staff to obtain a verbal agreement from the two residents that did not sign the petition.

Council Member Henry-Wilkinson and Council Member Ruggiero also agreed.

Mr. Mix explained that staff had moved ahead with the last direction from Council and that was to sell it as one piece at the public auction. He noted that at that time there was interest from other property owners and that the parcel was being surveyed. He said that he will discuss this further with Mr. Augliano and review the petition that Mr. Augliano submitted before moving forward.

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

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

Council moved into Executive Session at 7:51 p.m.

Council reconvened at 9:02 p.m.

ADJOURNMENT

At the call of the chair, meeting was duly adjourned at 9:02 p.m. until 9:00 a.m. on October 18, 2020 by motion of Council Member Ryan J. Henry-Wilkinson, seconded by Council Member Lisa A. Ruggiero and carried with all voting in favor thereof.

Ann M. Saunders
City Clerk