

**CITY COUNCIL MEETING
CITY OF WATERTOWN
November 16, 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: Jennifer Voss, Michael Lumbis

The City Manager presented the following reports to Council:

- Resolution No. 1 - Approving the Employment Agreement Between the City of Watertown and Kenneth A. Mix for the Position of City Manager
- Resolution No. 2 - Authorizing Supplemental No. 1 Agreement With New York State Department of Transportation (NYS DOT), Design I-IV, Public Square Traffic Signal Optimization & Coordination, Contract D036492, PIN 780720
- Resolution No. 3 - Authorizing Supplemental Agreement No. 1 to Professional Services Agreement for Bridge NY Project, C&S Engineers
- Resolution No. 4 - Approving the Grant Agreement with the Watertown Urban Mission For CDBG CARES Act Funding For Food Pantry Assistance
- Resolution No. 5 - Approving the Grant Agreement with the Community Action Planning Council of Jefferson County for CDBG CARES Act Funding for Food Pantry Assistance
- Resolution No. 6 - Approving the Grant Agreement with the Salvation Army for CDBG CARES Act Funding for Food Pantry Assistance
- Resolution No. 7 - Approving the Grant Agreement with the United Way of Northern NY For the Watertown City School District Food 4 Families Program CDBG CARES Act Funding
- Resolution No. 8 - Adopting the Revitalization and Redevelopment Design Plan for Sewall's Island and Factory Square
- Resolution No 9 - Authorizing the Mayor to Enter Into and Execute the Contract with the New York State Department of State for the City of Watertown Local Waterfront Revitalization Program Project
- Update of the Accomplishments to Date of the Zoning Re-Write Project

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 November 2, 2020 and work session of November 9, 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.

PRIVILEGE OF THE FLOOR

Jason Traynor, 142 Mechanic St., addressed the chair to express his various complaints about bus service. He also offered support for people with mental health issues by the group Human Hope.

Jonathan Phillips, 735 Mill St., addressed the chair regarding traffic issues and delays with the CitiBus system. He also expressed his disappointment with the method by which the City is planning to hold the annual Christmas parade.

Tony Augliano, 332 Broadway Ave. W., addressed the chair regarding the cost of the property he wishes to purchase on Brett Street. He stated that \$7,000 is too much for the property, which he described as “dead land.” He informed Council that he had received two letters from the City, one in July 2019 and one in May 2020, which he felt had indicated he would not have to pay for the cost of the land survey. He went on to question whether Brett Street would still be considered road frontage once he owned the property. He also inquired if a scheduled tree removal would still take place after he took possession of the property.

Mayor Smith informed Mr. Augliano that this would be discussed further during New Business.

RESOLUTIONS

Resolution No. 1 - Approving the Employment Agreement Between the City of Watertown and Kenneth A. Mix for the Position of City Manager

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS City Council has completed its search for a full-time City Manager, having conducted a series of interviews with several qualified candidates, and

WHEREAS City Council has selected Kenneth A. Mix to serve as City Manager pursuant to a written agreement authorized by the Watertown City Charter,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves an agreement between Kenneth A. Mix and the City of Watertown, a copy of which is attached and made part of this resolution.

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

Resolution No. 2 - Authorizing Supplemental No. 1 Agreement With New York State Department of Transportation (NYS DOT), Design I-IV, Public Square Traffic Signal Optimization & Coordination, Contract D036492, PIN 780720

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS a Project for the City of Watertown Public Square Traffic Signal Optimization and Coordination, P.I.N. 780720 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ration of 80% Federal funds and 20% non-federal funds, and

WHEREAS the City of Watertown desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Public Square Traffic Signal Optimization and Coordination Project,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown duly convened does hereby

RESOLVE that the City Council hereby approves the above-subject project, and

BE IT FURTHER RESOLVED that the City Council hereby authorizes the City of Watertown to pay in the first instance 100% of the federal and non-federal share of the cost of Design Phases I-VI for the Project or portions thereof, and

BE IT FURTHER RESOLVED that the sum of \$135,000 is hereby appropriated from the 2019-20 Capital Budget and made available to cover the cost of participation in the above phase of the Project, and

BE IT FURTHER RESOLVED that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the City Council of the City of Watertown shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and

BE IT FURTHER RESOLVED that the City Manager of the City of Watertown be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Watertown with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

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

Resolution No. 3 - Authorizing Supplemental Agreement No. 1 to Professional Services Agreement for Bridge NY Project, C&S Engineers

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS on October 2, 2017, City Council approved the Professional Services Agreement with C&S Engineers for the Purpose of Performing engineering services for the Bridge NY Project in the amount of \$225,000 for the rehabilitation of the Mill Street Bridge (North span) and the Pearl Street Bridge (North span), and

WHEREAS C&S Engineers has now submitted Supplemental Agreement No. 1 in the amount of \$37,000 bringing the total contract amount to \$262,000 to include the additional work, 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 Supplemental Agreement No. 1 to the Professional Services Agreement with C&S Engineers, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to sign Supplemental Agreement No. 1 of the Professional Services Agreement with C&S Engineers.

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

Resolution No. 4 - Approving the Grant Agreement with the Watertown Urban Mission For CDBG CARES Act Funding For Food Pantry Assistance

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City of Watertown Community Development Block Grant (CDBG) 2020 Annual Action Plan Amendment that was adopted by the City Council on August 17, 2020 included \$25,000 in CARES Act funds to pay for food and associated supplies in support of the Watertown Urban Mission food pantry, and

WHEREAS the food will be made available to low and moderate income families living in the City of Watertown, and

WHEREAS a Grant Agreement between the City of Watertown and the Watertown Urban Mission for the CDBG CARES Act funds has been drafted,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves the Grant Agreement with the Watertown Urban Mission, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Kenneth A. Mix, is hereby authorized and directed to sign the Grant Agreement on behalf of the City Council for the 2020 CDBG CARES Act Watertown Urban Mission Food Pantry Assistance.

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

Resolution No. 5 - Approving the Grant Agreement with the Community Action Planning Council of Jefferson County for CDBG CARES Act Funding for Food Pantry Assistance

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City of Watertown Community Development Block Grant (CDBG) 2020 Annual Action Plan Amendment that was adopted by the City Council on August 17, 2020 included \$25,000 in CARES Act funds to pay for food and associated supplies in support of the Community Action Planning Council of Jefferson County food pantry, and

WHEREAS the food will be made available to low and moderate income families living in the City of Watertown, and

WHEREAS a Grant Agreement between the City of Watertown and the Community Action Planning Council for the CDBG CARES Act funds has been drafted,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves the Grant Agreement with the Community Action Planning Council, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Kenneth A. Mix, is hereby authorized and directed to sign the Grant Agreement on behalf of the City Council for the 2020 CDBG CARES Act Community Action Planning Council Food Pantry Assistance.

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

Resolution No. 6 - Approving the Grant Agreement with the Salvation Army for CDBG CARES Act Funding for Food Pantry Assistance

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City of Watertown Community Development Block Grant (CDBG) 2020 Annual Action Plan Amendment that was adopted by the City Council on August 17, 2020 included \$25,000 in CARES Act funds to pay for food and associated supplies in support of the Salvation Army food pantry, and

WHEREAS the food will be made available to low and moderate income families living in the City of Watertown, and

WHEREAS a Grant Agreement between the City of Watertown and the Salvation Army for the CDBG CARES Act funds has been drafted,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves the Grant Agreement with the Salvation Army, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Kenneth A. Mix, is hereby authorized and directed to sign the Grant Agreement on behalf of the City Council for the 2020 CDBG CARES Act Salvation Army Food Pantry Assistance.

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

Resolution No. 7 - Approving the Grant Agreement with the United Way of Northern NY For the Watertown City School District Food 4 Families Program CDBG CARES Act Funding

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City of Watertown Community Development Block Grant (CDBG) 2020 Annual Action Plan Amendment that was adopted by the City Council on August 17, 2020 included \$25,000 in CARES Act funds to pay for food and associated supplies in support of the Watertown City School District Food 4 Families Program, and

WHEREAS the food will be made available to low and moderate income families in the Watertown City School District, and

WHEREAS the recipient of funds for the Food 4 Families Program will be the United Way of Northern New York, Inc., and

WHEREAS a Grant Agreement between the City of Watertown and the United Way of Northern New York for the CDBG CARES Act funds has been drafted,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves the Grant Agreement with the United Way of Northern New York, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Kenneth A. Mix, is hereby authorized and directed to sign the Grant Agreement on behalf of the City Council for the 2020 CDBG CARES Act Watertown City School District Food 4 Families Program.

Seconded by Council Member Lisa A. Ruggiero

Prior to the vote on the foregoing resolution, Council Member Roshia thanked Planning and Community Development Director Michael Lumbis and Senior Planner Jennifer Voss for the distribution of funding for food in the four previous resolutions, noting they were not small awards and stating that these funds were needed now more than ever.

Mayor Smith reminded Council that some of the credit belonged to Council as they were the body that agreed to appropriate these funds.

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

Resolution No. 8 - Adopting the Revitalization and Redevelopment Design Plan for Sewall's Island and Factory Square

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City was awarded \$50,000.00 from a Strategic Planning and Feasibility Studies grant from the New York State Department of State to prepare a plan that would create a vision for Sewall's Island and Factory Square and capitalize on community assets and recreation opportunities, guide redevelopment and help attract new investments and businesses, as well as identify transformational projects in this area of downtown Watertown, and

WHEREAS the City contracted with MKSK Studios, Inc. to conduct the study, and

WHEREAS the Study included the development of preliminary designs and cost estimates for the commercial development of the island, along with the park and trail development on the eastern portion of the island, and design schematics and implementation recommendations, and

WHEREAS an Advisory Committee was established and two meetings were held to provide guidance and assist with the development of design concepts, and

WHEREAS in addition to the Advisory Committee meetings, one in-person and one virtual public meeting was held to engage the public and identify issues and opportunities, and

WHEREAS the Study was finalized in October and the City Council desires to formally endorse the plan,

NOW THEREFORE BE IT RESOLVED that the City Council hereby adopts the City of Watertown's Revitalization and Redevelopment Design Plan for Sewall's Island and Factory Square dated October 2020.

Secinded by Council Member Lisa A. Ruggiero

Prior to the vote on the foregoing resolution, Mayor Smith stressed that this was a great idea, but it remained to be seen if it would come to fruition.

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

Resolution No. 9 - Authorizing the Mayor to Enter Into and Execute the Contract with the New York State Department of State for the City of Watertown Local Waterfront Revitalization Program Project

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City Council of the City of Watertown was awarded \$42,500 in funding from the New York State Department of State (NYS DOS) to update and complete the Local Waterfront Revitalization Program (LWRP) Plan for the Black River, and

WHEREAS the grant will assist with updating the City's 2010 Draft LWRP which will leverage recent waterfront revitalization efforts and highlight new opportunities and remaining needs with a goal of supporting the vision for long-term community revitalization, and

WHEREAS the City of Watertown must enter into a State of New York Master Contract for Grants with the NYS DOS for the project,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the Mayor, Jeffrey M. Smith, to enter into and execute the State of New York Master Contract for Grants with the NYS DOS, a copy of which is attached and made part of this resolution, and

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

Secinded by Council Member Lisa A. Ruggiero

Prior to the vote on the foregoing resolution, Mayor Smith noted that there was a previous committee that oversaw the Waterfront Revitalization and asked what they were called.

Mr. Lumbis explained that a long time ago there was a Quality Community committee and Advantage Watertown had also served in that role. He also noted that there had been a subcommittee to Advantage Watertown called the River Committee. Mr. Lumbis informed Council that all of these types of grants require the creation of some type of committee to oversee the project.

Mayor Smith asked Council to be thinking about what they would like to see happen with the waterfront in the future.

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

STAFF REPORTS

Update of the Accomplishments to Date of the Zoning Re-Write Project

Jennifer Voss, Senior Planner, presented a brief update (memo on file in the City Clerk's office) on the Zoning Re-Write project. She informed Council that the consultants had come for a three-day immersion to get a better idea of the layouts of the neighborhoods. She indicated that the consultants will now create a use table and draft a zoning map and this process will take another couple months.

Sales Tax Revenue – October 2020 and Sale of Surplus Hydro-electricity – October 2020

Mr. Mix presented these reports (on file in the City Clerk's office) to Council in the absence of the City Comptroller. He noted the sales tax numbers continued to improve but also pointed out that the hydro could use more water as numbers were down.

NEW BUSINESS

Debris and School Bus on Upper Gotham Street

Council Member Compo mentioned that a member of Neighborhood Watch had informed her about the condition of a property on outer Gotham Street.

Mayor Smith stated that he had already spoken to Codes about this issue.

Mr. Mix said the City was very familiar with the property in question and that the property owner was going to be allowed to keep one unregistered vehicle on his property and it was going to be the bus and the rest would be cleaned up.

Annual Fall Tree Planting

Council Member Henry-Wilkinson informed Council that this event had taken place recently and it had been the best weather in years. He mentioned that a tree had been planted in honor of former Mayor T. Urling Walker. He further noted that this event is a testament to the staff and management of the City of Watertown as he imagined there were few cities in which you would see the City Manager and various department heads with shovels digging holes and planting trees. He also stated that Tree Watertown was a great organization that was very easy to volunteer with as they were always looking for more participation.

Veterans Suicide Rates

Council Member Henry-Wilkinson advised Council that this was a complicated issue that could not be solved easily, but that the suicide rates for veterans were steadily rising. He noted that, according to national news, there is a "service gap" indicating that service members who had access to benefits had decreased suicide rates and the rates increased for those who had no access or treatment. He stated his desire to destigmatize mental health issues to combat this rise.

Lansing Street Parking

Council Member Roshia informed Council that he had been contacted by a resident complaining of overnight parking near a hydrant on this street. He stated that he had driven by the area in question and saw nothing but asked if someone could investigate.

Mr. Mix said staff would look into it.

Flag at Full-Staff

Council Member Roshia thanked Mr. Mix for returning the flag to the top of the staff after the last meeting.

Mr. Mix said that it was really just coincidental, and he had received no notice that the half-staff mandate was over, but the day after the last Council meeting, the State Office Building had their flag back up.

Tree Planting at City Hall

Council Member Ruggiero thanked City Planner Mike Demarco for the well-attended Black Maple planting in front of City Hall

LL Bean Pop-Up Store

Council Member Ruggiero thanked Jen Voss for her work to get this sales opportunity on the Square, noting that it brought a lot of traffic to downtown Watertown. She further noted that some of the LL Bean staff had spent time visiting local businesses. She suggested that the next time something like this occurred, the Downtown Business Association might want to be involved.

Annual Tree Festival

Council Member Ruggiero explained that this festival was going on this year in the former Stream building and that they were able to spread out the 60+ trees to allow for proper social distancing. She added that the Gala and the Sugar Plum Ball were both cancelled but that the auction would be held on local television.

Christmas Parade – Mr. Phillips’ Privilege of the Floor Comments

Regarding Mr. Phillips’ comments during Privilege of the Floor, Council Member Ruggiero suggested that the CitiBus could be enlisted to take people down the Parkway so that people without cars would have access to the parade. She noted that she understood the limitations of this type of a “parade,” but this solution was offered as the safest alternative to a traditional parade.

Tree Clearing near Thompson Park

Mayor Smith remarked that he had seen Parks Department working on tree clearing on Franklin Street and near Thompson Park Circle.

Mr. Mix added that the Natural Resource people at Fort Drum were helping with a plan of attack on invasive species like Buckthorn.

Operation Heat Wave

Mayor Smith offered his congratulations to the City Police Department and the other agencies involved in this drug bust which resulted in the arrest of 54 people.

Board Appointments

Mayor Smith informed Council that he had named Mike Pierce to the Planning Board and Franklyn Cowles to the Plumbing Board.

Brett Street Property – Mr. Augliano’s Privilege of the Floor Comments

Mayor Smith informed Mr. Augliano that the Council has been consistent that the City was not going to absorb the cost of the survey.

Mr. Mix stated that the \$7,000 represented \$6,000 for the cost of the survey and \$1,000 for attorney fees. He noted that he sent an email to both parties, asking to know how the costs would be split between Mr. Augliano and Mr. Baker so that the Resolution and closing could be prepared.

Mr. Augliano compared the sale of the Brett Street property to a similar sale, and said these costs were too high.

Mr. Mix explained that the Shepard Purchase property had required no surveying and so it did not include those costs.

Mayor Smith reiterated that the City taxpayers were not going to absorb the cost of this survey for the convenience of Mr. Augliano.

Mr. Augliano stated that the City had changed what they said to him via the two letters he received previously, which he said indicated he would not have to pay survey costs.

Mr. Mix indicated that Mr. Augliano was probably right about the letters containing incorrect information, but that it has been the City’s stance since the beginning that the costs would go to the buyer. He further noted that if the sale did not go through, the property would be auctioned with a minimum bid of \$6,000 since the land would not require further division and surveying.

Council Member Roshia stated that Council had originally agreed to auction the property but had made an exception and gone against staff recommendations to sell it by auction when Mr. Augliano and Mr. Baker had requested to purchase it. He reminded Mr. Augliano that the Council has never wavered on their stance that the survey costs would not be absorbed by the City.

Mayor Smith expressed to Mr. Augliano that no one was forcing him to purchase this property if the cost is too high. He indicated that if he prefers not to purchase the property now, it will be put up for auction. He then turned to the question of the Zoning variance inquiry that Mr. Augliano asked about during Privilege of the Floor.

Mr. Mix stated that if a property goes all the way between two streets, both the front and the back of the house are considered front yards. He then noted that a variance had been given at a neighboring property for a pool.

Mayor Smith asked about the final Brett Street topic of the tree removal and inquired whether the bucket truck had been repaired.

Mr. Mix said he would look into it.

Mr. Lumbis replied that the bucket truck is back in service and advised that he would check on the status of the Brett Street tree removal.

Mr. Augliano inquired as to whether the land could be resurveyed if he just wanted to purchase part of the parcel.

Mayor Smith stated that the City would not be resurveying it and added that there are two options in front of Mr. Augliano: Buy the property or do not buy the property.

Mr. Augliano informed Council that he had been attending to this property for the last 20 years and suggested that he could acquire the property through adverse possession.

Mr. Slye stated that the adverse possession rule did not apply to municipalities.

Council Member Ruggiero pointed out that if Mr. Augliano was using that property without owning it, that could be considered by some to be trespassing. She advised Mr. Augliano that a property on Academy Street which was much smaller sold for a higher price and reminded him that the Brett Street property was being sold for the cost of the survey and fees with no additional charge for the land itself, which meant that he was getting the actual parcel for no charge. She added that the neighbors who bought the parcels on Shepard Purchase all paid for the land.

Council Member Roshia added that this is a take it or leave it deal and Council had been consistent in their stance.

Council Member Compo agreed that the Council had been consistent.

Veterans Day

Council Member Ruggiero remarked that she had attended the VFW ceremonies on Veterans Day, which featured an excellent speaker who was a female Blackhawk pilot.

ADJOURNMENT

At the call of the chair, meeting was duly adjourned at 8:04 p.m. by motion of Council Member Ryan J. Henry-Wilkinson, seconded by Council Member Lisa A. Ruggiero and carried with all voting in favor thereof.

Lisa M. Carr

Deputy City Clerk