

**CITY COUNCIL MEETING
CITY OF WATERTOWN
August 15, 2022
7:00 p.m.**

Mayor Jeffrey M. Smith Presiding

Present: Council Member Patrick J. Hickey
Council Member Clifford G. Olney III
Council Member Sarah V.C. Pierce
Council Member Lisa A. Ruggiero
Mayor Jeffrey M. Smith

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

City staff present: Scott Weller, Michael Delaney, Jennifer Voss

The City Manager presented the following reports to Council:

- Resolution No. 1 - Approving Inter-Municipal Agreement Relative to Commercial Driver's License Training with Jefferson, Lewis, Hamilton, Herkimer, Oneida BOCES
- Resolution No. 2 - Approving Agreement for Public Benefit Services Between the City of Watertown and the Thompson Park Conservancy, Inc.
- Resolution No. 3 - Appointment of Commissioner of Deeds
- Resolution No. 4 - Approving Amendment to the City of Watertown Procurement Policy
- Resolution No. 5 - Approving Change Order No. 1 for the CDBG Thompson Park ADA Ramp Replacement Project, Concrete Slipform, Inc.
- Resolution No. 6 - Approving Franchise Agreement Between the City of Watertown and The Wolves Den, LLC
- Resolution No. 7 - Nominating to Community Action Planning Council of Jefferson County, Inc., Stanley Zaremba
- Resolution No. 8 - Approving Professional Services Agreement Supplement #3 for ROW Incidentals and Acquisition Services for the Massey St., Coffeen St., Court St. Bridge Rehabilitation Project. PIN 775362, Fisher Associates
- Resolution No. 9 - Approving Professional Services Agreement Supplement #4 to provide the Construction Inspection and Management Services for the Massey St., Coffeen St., Court St. Bridge Rehabilitation Project. PIN 775362, Fisher Associates
- Resolution No. 10 - Accepting Bid for Huntington St. Retaining Wall Project from Heritage Masonry Restoration, Inc.
- Resolution No. 11 - Approving the Site Plan for the Construction of a 256 sq. ft. cooler addition, a 34 sq. ft Pre-pay window and a second Drive-thru Lane at 945 Arsenal Street, Parcel Number 9-11-138.000
- Resolution No. 12 - Approving Change Order No. 1, for the Hydro Plant Upper Safety Rack Replacement Project, DC Building Systems, Inc.
- Resolution No. 13 - Accepting Bid for WTP COAG Generator Replacement, John R. Dudley
- Staff Report - Public Hearing for the Community Development Block Grant Program Consolidated Annual Performance and Evaluation Report (CAPER)
- Staff Report - Restore NY Grant Program Applications Construction, Inc.

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 1, 2022 and work session of August 8, 2022, was dispensed and accepted as written by motion of Council Member Lisa A. Ruggiero, seconded by Council Member Sarah V.C. Pierce and carried with all voting in favor thereof.

COMMUNICATIONS

No Communications.

PRIVILEGE OF THE FLOOR

Keith Coughlin, 134 Elm Street, spoke on behalf of the YMCA and their application for Restore NY Grant. He requested Council support this application and explained how this project would benefit the community.

Bill Dermady, 118 Seymour Street, requested that trash cans be put back in Thompson Park and the policy of “carry in/carry out” be discontinued. He also mentioned that New York State pays their lifeguards \$20/hour and suggested the City do the same.

Jason Traynor, 424 Arsenal Street, spoke of his objections to the mask mandate on the City bus system. He also objected to the drag show that recently took place within Thompson Park, as well as at the Paddock Club. He cited Section 310 of the City Code, stating that this violates it. Lastly, he addressed the homelessness and drug problems and said Council’s focus should be on these issues and not on pools.

MaryJo Schofield, 454 Mill Street, relayed the history of the three City pools, asking why a third pool was opened in the 1970’s at the Fairgrounds and noting there must have been a demand. She said the north side pool should not be considered for permanent closure and she stressed that the Fairgrounds pool has less attendance than the north side pool. She also stated that she feels lifeguards should be paid more and that a splashpad is for younger ages.

Debra Dermady, 118 Seymour Street, said that she wanted to bring a perspective of the north side for people who are not familiar with it and reviewed the number of apartment buildings, rental properties, schools and organizations such as the DPAO and CAPC. She provided her support for keeping the north side pool open and pointed out that the YMCA is for membership only.

Peter Souch, 120 Arcade Street, spoke regarding the Restore NY Grant and his support for the YMCA’s application. He added that no one is denied membership to the YMCA for the lack of funds.

Donnie Lee Barrigar, Adams Center, cited Section 310-52.1 of the City Code and said he thought it was a shame that the Zoo recently held a drag show, which could be seen from the Park. He also listed other private businesses, Paddock Club, Garland, City and Bad Apple, that hold these events as well and he thinks it is in violation of the City Code. He also asked for the removal of the Library Director

because he feels the Library pushes the “LGBTQ agenda” and he asked for the removal of the Zoo Director as well.

Larry Sorel, 1 Thompson Park, stated he is the Executive Director of Zoo NY and thanked Council for their support in approving the resolution on tonight’s agenda. He updated Council on the Zoo’s progress and the plans for redevelopment.

Seth LaBarge, 521 Jefferson Street, said he took a Council Member for a tour of the north side of the City and discussed the drug issues and the condition of the streets and sidewalks on the north side. He showed pictures of needles found on the streets. He asked Council for a solution to these problems.

Jonathan Phillips, 735 Mill Street, spoke against the YMCA project for the Restore NY Grant, noting that the cost of their membership keeps going up, and, in regard to Council Member Pierce’s prior suggestion to see if the school district pools could be opened to the public, he said they are closed for maintenance in the summer. He discussed the condition of the water treatment plant roof, roads and sidewalks and stated the City needs more Police and three pools. Lastly, he suggested installing solar panels on City buildings as a source of revenue.

Michael Pierce, Boyd Street, addressed the chair concerning the project that he and his partner are doing at 75-79 Public Square and their application for the Restore NY Grant. He described how this project will benefit Public Square and the City and he asked Council for their support.

RESOLUTIONS

Resolution No. 1 - Approving Inter-Municipal Agreement Relative to Commercial Driver’s License Training with Jefferson, Lewis, Hamilton, Herkimer, Oneida BOCES

Introduced by Council Member Lisa A. Ruggiero

WHEREAS Jefferson, Lewis, Hamilton, Herkimer, Oneida BOCES is a duly constituted Board of Cooperative Educational Services formed pursuant to the provisions of Article 40 of the New York State Education Law; and

WHEREAS City of Watertown is a municipal corporation formed pursuant to the laws and the Constitution of the State of New York; and

WHEREAS New York State General Municipal Law, Article 5-G (§§119-m through 119-oo) authorizes the Parties to each enter into an inter-municipal cooperation agreement (“ICA”) to carry out any function or responsibility each has authority to undertake alone; and

WHEREAS BOCES, as part of its educational mission offers Entry Level Driver Training Instruction pursuant to the Federal Motor Carrier Safety Act (“FMSCA”) which prepares trainees to seek a Commercial Driver’s License (“CDL”) from the New York State Department of Motor Vehicles (“DMV”); and

WHEREAS City desires to have individuals in its employ participate in BOCES program of Entry Level Driver Training; and

WHEREAS BOCES is willing to accept City's designees into its Entry Level Driver Training, subject to the terms and conditions set forth below and City's agreement to abide by the same; and

WHEREAS an Inter-Municipal Agreement with BOCES to provide its Entry Level Driver Training has been drafted,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Inter-Municipal Agreement relative to Entry Level Commercial Driver's License Training with Jefferson, Lewis, Hamilton, Herkimer, Oneida BOCES, a copy of which is attached and made part of this resolution, and

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

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Council Member Ruggiero asked what would happen if the City pays for the training and the employee decides to leave the position.

City Manager Mix indicated that it is being negotiated with CSEA that if an employee leaves employment within 24 months of the training, then a portion of the cost would be recouped. He responded to Council Member Pierce's question about the refresher course, stating that it would only need to be taken once.

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

Resolution No. 2 - Approving Agreement for Public Benefit Services Between the City of Watertown and the Thompson Park Conservancy, Inc.

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the Lessor, City of Watertown, owns the facility known as Thompson Park, located in the City of Watertown, County of Jefferson, State of New York, and

WHEREAS the Lessor has entered into an Agreement with the Tenant, Thompson Park Conservancy, Inc., to lease certain premises located at the Park for the operation of the "Thompson Park Zoo", and

WHEREAS the City of Watertown has provided both financial and in-kind services in support of the Thompson Park Conservancy, and

WHEREAS the City Council has determined that it is in the best interest of the taxpayers of the City of Watertown to provide direct support to the Thompson Park Conservancy to assist with operations as detailed in the attached Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement for Public Benefit Services Between the City of Watertown and the Thompson Park Conservancy, Inc., a copy of which is attached and made a part of this resolution, and

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

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

Resolution No. 3 - Appointment of Commissioner of Deeds

Introduced by Council Member Lisa A. Ruggiero

WHEREAS Commissioner of Deeds in the cities of this state shall be appointed by the common councils of such cities, and

WHEREAS Commissioner of Deeds shall hold the term of two years, and

WHEREAS any person who resides in or maintains an office or other place of business in any such city and who resides in the county in which said city is situated shall be eligible to appointment,

NOW THEREFORE BE IT RESOLVED that the following individual is hereby appointed Commissioner of Deeds for the term expiring December 31, 2022.

Non-City Employee

Dale A. Blanding

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

Resolution No. 4 - Approving Amendment to the City of Watertown Procurement Policy

Introduced by Council Member Lisa A. Ruggiero

WHEREAS Tina Bartlett-Bearup was duly appointed to the position of Purchasing Manager for the City of Watertown, and

WHEREAS pursuant to General Municipal Law §104-b(2)(f), the City's Procurement Policy must identify the individual responsible for purchasing, and

WHEREAS the City Council desires to revise the quotation thresholds for certain purchases and leasing of equipment, and

WHEREAS the City's Procurement Policy has been established and adopted by the City Council, and

WHEREAS based on General Municipal Law and the desire to revise certain quotation thresholds, an amended City's Purchasing Policy has been drafted, a copy of which is attached and part of this resolution,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby identifies Tina Bartlett-Bearup as the Purchasing Manager pursuant to General Municipal Law §104-b(2)(f), and that the City's Procurement Policy and all other policies shall reflect that Tina Bartlett-Bearup serves in the capacity of the official Purchasing Manager, and

BE IT FURTHER RESOLVED that the amended Purchasing Policy is hereby approved.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, City Manager Mix summarized, upon Council Member Olney's request, the changes to the Procurement Policy regarding the threshold amounts for the purchase method requirements.

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

Resolution No. 5 - Approving Change Order No. 1 for the CDBG Thompson Park ADA Ramp Replacement Project, Concrete Slipform, Inc.

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City Council accepted the bid for the CDBG Thompson Park ADA Ramps Repair Project from Concrete Slipform, Inc. (Contractor) in the amount of \$58,382.50 on May 16, 2022, and

WHEREAS additional work and materials beyond the scope of the contract for the project were provided by the Contractor, and

WHEREAS the Contractor has submitted a change order request for the additional work and materials in the amount of \$15,757.85,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Change Order No. 1 for the Thompson Park ADA Ramps Repair Project in the amount of \$15,757.85 as submitted by Concrete Slipform, Inc., and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute Change Order No. 1 on behalf of the City of Watertown.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Mayor Smith questioned the need for the change order.

City Engineer Michael Delaney explained the bid was presented with the assumption that it was only for the ADA ramps, but some ramps needed to be "chased" out further to meet the incline.

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

Resolution No. 6 - Approving Franchise Agreement Between the City of Watertown and The Wolves Den, LLC

Introduced by Council Member Lisa A. Ruggiero

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

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

WHEREAS in pursuit of that valid public purpose, the City of Watertown desires to enter into a Franchise Agreement with The Wolves Den, LLC, and

WHEREAS The Wolves Den, LLC owns and operates a professional hockey team, which competes in the Federal Prospects Hockey League, and

WHEREAS The Wolves Den, LLC desires to enter into a Franchise Agreement with the City of Watertown to have its team play hockey games within the confines of the Watertown Municipal Arena,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Franchise Agreement between the City and The Wolves Den, LLC, a copy of which is attached hereto and made part of this resolution, and

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

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

Resolution No. 7 - Nominating to Community Action Planning Council of Jefferson County, Inc., Stanley Zaremba

BE IT RESOLVED that the following individual is hereby nominated to the Community Action Planning Council of Jefferson County, Inc. as the designee of Council Member Lisa Ruggiero to fill the vacant term expiring on December 31, 2023:

Stanley Zaremba
247 Wealtha Ave., Apt.647a
Watertown, NY 13601

It was announced that this resolution had been pulled from the agenda. No further action was taken.

Resolution No. 8 - Approving Professional Services Agreement Supplement #3 for ROW Incidentals and Acquisition Services for the Massey St., Coffeen St., Court St. Bridge Rehabilitation Project. PIN 775362, Fisher Associates

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City of Watertown, on October 2, 2017, entered into an Agreement with the New York State Department of Transportation for funding for the Rehabilitation of Massey Street, Coffeen Street, and the Court Street Bridge, and

WHEREAS on June 4, 2018, City Council approved the Professional Services Agreement with Fisher Associates to provide design services for the Massey St., Coffeen St., Court St. Bridge Rehabilitation Project for \$402,000, and

WHEREAS Supplemental Agreement #1 to Fisher Associates agreement was approved on July 15, 2019 for \$101,000, and

WHEREAS Supplemental Agreement #2 to Fisher Associates agreement was approved on July 6, 2022 for \$200,000, and

WHEREAS The Federal Highway Administration requires sufficient Right-of-Way to construction ADA compliant sidewalk ramps, additional scope of work effort is necessary to complete the project, and

WHEREAS the Eminent Domain Procedure Law is required to acquire the property, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Supplemental Agreement #3 with Fisher Associates in the amount not to exceed an additional \$66,000, a copy of which is attached hereto and made part of this resolution, and

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

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, City Manager Mix explained that this deals with engineering services, which are additional services required to obtain certain parcels for the project through eminent domain.

Mr. Delaney added that in order to keep the project moving forward, the City needed to go this route, otherwise, the project would have stalled. He clarified for Council Member Olney that their legal team would do this work.

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

Resolution No. 9 - Approving Professional Services Agreement Supplement #4 to provide the Construction Inspection and Management Services for the Massey St., Coffeen St., Court St. Bridge Rehabilitation Project. PIN 775362, Fisher Associates

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City of Watertown, on October 2, 2017, entered into an Agreement with the New York State Department of Transportation for funding for the Rehabilitation of Massey Street, Coffeen Street, and the Court Street Bridge, and

WHEREAS the City on June 4, 2018, authorized a Professional Services Agreement between the City and Fisher Associates for the design of the Project for \$402,000, and

WHEREAS Supplemental Agreement #1 to Fisher Associates agreement was approved on July 15, 2019 for \$101,000, and

WHEREAS Supplemental Agreement #2 to Fisher Associates agreement was approved on July 6, 2022 for \$200,000, and

WHEREAS in support of this project, the cost for the inspection and construction administration services for the Project will be in the amount of \$470,000, and

WHEREAS THE City is financing this project using Federal and State Aid, and local funds, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Supplemental Agreement # 3 between the City of Watertown and Fisher Associates, a copy of which is attached and made a part of this resolution, and

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

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

Resolution No. 10 - Accepting Bid for Huntington St. Retaining Wall Project from Heritage Masonry Restoration, Inc.

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City Purchasing Department has advertised and received sealed bids for the Huntington Street Retaining Wall Replacement Project, and

WHEREAS bid invitations were published, and sealed bids submitted to the Purchasing Department, and

WHEREAS on Friday, August 5, 2022, at 2:00 p.m., the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bids received with the Engineering Department, and it is their recommendation that the City Council accept the bid submitted by Heritage Masonry Restoration, Inc., and

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 \$38,000.00, 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 Sarah V.C. Pierce and carried with all voting yea.

Resolution No. 11 - Approving the Site Plan for the Construction of a 256 sq. ft. cooler addition, a 34 sq. ft Pre-pay window and a second Drive-thru Lane at 945 Arsenal Street, Parcel Number 9-11-138.000

Introduced by Council Member Lisa A. Ruggiero

WHEREAS Stephanie Albright, P.E., of APD Engineering on behalf of Lobdell Enterprises LLC, has submitted an application for Site Plan Approval to construct a 256 sq. ft. cooler addition, a 34 sq. ft. pre-pay window and a second drive-thru lane at 945 Arsenal Street, Parcel Number 9-11-138.000, and

WHEREAS the Jefferson County Planning Board reviewed the application at its May 31, 2022, meeting, pursuant to Section 239-m of New York State General Municipal Law, and determined the proposal was of local concern only, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on August 4, 2022, and voted to recommend that the City Council of the City of Watertown approve the site plan with the following conditions:

1. The Fire department will need to be consulted to confirm that the location of the hydrants are adequate with the addition of the second drive thru or if an additional hydrant would be needed.
2. The applicant must obtain the following permits, minimally, prior to demolition and construction: Demolition Permit, Building Permit, and a Zoning Compliance Certificate.

And,

WHEREAS the applicant was granted an area variance by the Zoning Board of Appeals on July 20, 2022, to reduce the required five (5) foot side yard landscape buffer along the eastern property line, and

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2, and has determined that the project, as submitted, is an Unlisted Action and will not have a significant impact on the environment, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed construction and site plan constitute an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant impact on the environment, and

BE IT FURTHER RESOLVED that it is an express condition of this Site Plan Approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Code Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan, which, in the opinion of the City Engineer, would require Amended Site Plan Approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Code Enforcement Officer is directed to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that Site Plan Approval is hereby granted to Stephanie Albright, P.E., of APD Engineering on behalf of Lobdell Enterprises LLC to construct a 256 sq. ft. cooler addition, a 34 sq. ft. pre-pay window and a second drive-thru lane at 945 Arsenal Street, Parcel Number 9-11-138.000, as depicted on the site plan submitted to the City Planning and Community Development Department on August 4, 2022, contingent upon the applicant meeting the conditions listed above.

Seconded by Council Member Sarah V.C. Pierce

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

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

Resolution No. 12 - Approving Change Order No. 1, for the Hydro Plant Upper Safety Rack Replacement Project, DC Building Systems, Inc.

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City Council accepted the bid for the Hydro Plant Upper Safety Rack Replacement Project from DC Building Systems, Inc. (Contractor) in the amount of \$89,900 on July 19, 2021 and

WHEREAS additional work beyond the scope of the contract for the project was performed by the Contractor, and

WHEREAS the Contractor has submitted a change order request for the additional work and materials in the amount of \$4,729.20,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Change Order No. 1 for the Hydro Plant Upper Safety Rack Replacement Project in the amount of \$4,729.20 as submitted by DC Building Systems, Inc., and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute Change Order No. 1 on behalf of the City of Watertown.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Mr. Delaney explained the need for the additional work, noting that it was discovered, once the racks were removed, that the existing J-bolts and concrete had deteriorated and needed additional work. He stressed that this work would ensure the safety of the turbines. He responded to Council Member Hickey's questions regarding photos of the damage and stated that he will pass along the pictures taken during the field inspection.

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

Resolution No. 13 - Accepting Bid for WTP COAG Generator Replacement, John R. Dudley

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City Purchasing Department has advertised and received sealed bids for the WTP COAG Generator Replacement, and

WHEREAS bid invitations were published sealed bids submitted to the Purchasing Department, and

WHEREAS on Thursday, July 14, 2022, at 2:00 p.m., the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bids received with the Water Treatment Department, and it is their recommendation that the City Council accept the bid submitted by John R. Dudley Construction, Inc., and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid of John R. Dudley Construction, Inc. in the amount of \$389,000, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to sign all contracts associated with implementing the award to John R. Dudley Construction, Inc.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Council Member Olney asked if the difficulty in getting parts was due to the supply chain issues.

Mr. Mix clarified that it is because the generator is outdated so it is difficult to obtain parts for the older equipment.

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

STAFF REPORTS

Public Hearing for the Community Development Block Grant Program Consolidated Annual Performance and Evaluation Report (CAPER)

Motion was made by Council Member Lisa A. Ruggiero to schedule a Public Hearing to solicit public input on the Community Development Block Grant Program Consolidated Annual Performance and Evaluation Report (CAPER) for Monday, September 19 at 7:15 P.M. Motion was seconded by Council Member Sarah V.C. Pierce and carried with all voting in favor thereof.

Restore NY Grant Program Applications Construction, Inc.

Mayor Smith explained there are three projects being considered for submission to the Restore NY Grant Program, noting one (Globe Building at 302 Court Street) fits the requirement of the Special Project category. He advised that Council will need to decide which one, between the other two (75-79 Public Square and the YMCA), should be chosen for submission.

Council Member Olney suggested splitting the funding between the two projects.

City Manager Mix indicated that was not possible and explained, in response to Council Member Hickey's question, how the Globe Building project met the qualifications for the Special Project category.

Senior Planner Jennifer Voss added further details to the explanation, stating that the building is a vacant, dilapidated building which could be a “major player” in the redevelopment of the downtown area.

Mayor Smith introduced Daniel Queri, redeveloper of Globe Building at 302 Court Street.

Mr. Queri provided Council with the highlights of this project.

Council Member Pierce said she is supportive of the Globe Building project but will abstain from discussion on the 75-79 Public Square project because one of the developers is her brother-in-law.

Council Member Olney remarked that the 75-79 Public Square project needs to get off the ground and this could help that, stressing the importance of the Strauss Memorial Walkway in providing a connection to J.B. Wise parking lot and the riverwalk. He added that the YMCA project is already underway and will happen, so he sees this as a way to reduce their debt. He noted that the YMCA could always apply for the second round of funding.

Council Member Ruggiero asked if two resolutions could be prepared – one supporting the 75-79 Public Square project for this round of funding and one supporting the YMCA project for the second round of funding.

Mr. Mix explained that the details of the second round of funding have not been announced yet.

Council Member Hickey stated that he is supportive of the project submitted under the Special Project category and noted that the 75-79 Public Square project and Strauss Walkway are important, mentioning that the walkway was given to the City as a memorial. He remarked that he was supportive of it as well.

Noting that both projects are worthy, Council Member Ruggiero suggested that whichever project was not chosen for this round be in line for support in the second round of funding.

Both Council Member Olney and Council Member Hickey said they would agree to that.

Council Member Ruggiero debated her decision and then gave her support to the 75-79 Public Square project for this round of funding.

Mayor Smith stated that this is an extremely difficult decision because both are great projects that will have a large impact on the downtown area. He spoke of the benefits of both projects and said he will go along with the majority supporting the 75-79 Public Square project. He also said that he will support the YMCA project for the next round of funding.

NEW BUSINESS

Upcoming Events and Recent Meetings

Council Member Hickey listed the following meetings and events: Waterfront Advisory Committee and Alliance Full Board Meeting on August 16, WARM virtual meetings on August 17, 24 and 31, Eclipse meeting on August 18, Thompson Park Workday and WARM Music Jam on Saturday, August 20, live music at the Park bandstand on August 22, Watertown Local Development Corp. and Friends of

Thompson Park on August 25, Bravo Italiano Festival August 26 through 28, Downtown Block Street Party on August 26, Mountainfest at Fort Drum beginning on August 31 and International Overdose Awareness Day on August 31.

Syringe Exchange Program

Council Member Hickey informed Council about ACR Health's Syringe Exchange Program which offers not only needle exchange but a crew to pick up discarded needles discovered around the City. He explained that if someone finds a needle, they can call Jefferson County Dispatch and a crew from ACR will be dispatched to recover them. He added the public is cautioned not to pick up the needles themselves. Council Member Hickey noted that worse drugs are coming to the area and the City needs to be prepared.

NARCAN

Council Member Hickey mentioned that, beginning on August 14, pharmacies in New York State are required to carry and distribute NARCAN without a prescription.

Hometown Heroes Banner Program

Council Member Hickey reminded Council of a suggestion he made about a potential Hometown Heroes Banner Project for the City, which was nixed because a monument to the fallen already existed in front of the Jefferson County Office Building. He noted that Hometown Heroes was not just for deceased heroes but also for ones who had contributed to the City. He asked Council to reconsider such a program for the City of Watertown.

Zoning Rewrite

Council Member Hickey informed Council and the public that input is being requested for the Zoning Rewrite project on the City's website and he urged everyone to review it and submit comments there. He went on to give a quick summary of the new Zoning Classifications, which fall into eight categories. He noted the next open house would be held on September 12 and indicated that it was very important to get the public's input. He added that zoning had not been completely updated since 1959.

Gas Prices

Council Member Olney noted that gas prices were coming down.

Mask Mandate on City Bus – Comments from Privilege of the Floor

Council Member Olney advised Mr. Traynor to address his concerns with the State government.

Drag Shows

Council Member Olney stated that when it comes to entertainment everyone has a choice and people do not have to watch it or endorse it. He said that if someone does not like something then their opinions about it should not be imposed on everyone else.

Hydro Plant Electricity

Council Member Olney indicated that he spoke to the consultant Steve Wood to see what the scope of his RFP had been and if he was taking the next step as far as selling electricity to city residents and businesses. He explained that the Mr. Wood said it is possible, but not through the current contract with National Grid, so this would require another scope of understanding. He asked if the City could take a look at that further and take the next step in selling electricity.

Tour of North Side – Comments from Privilege of the Floor

Council Member Olney said he saw many homes in disrepair or condemned, noting that one had a sign on it from 2018. He asked for a list of condemned buildings from Code Enforcement so he could have a better understanding of who the owners are and where they are located.

Actor's Scholarship

Council Member Olney said he met with actress Sonia Conlin and actor Ed Abbate to discuss the possibility of offering an actor's scholarship, like they do in Syracuse. He said this would allow the winner to make a movie here in the City.

Flynn Pool

Council Member Olney said the issue of the cost of the Flynn pool has come up when he is talking to constituents, so he contacted the Aquatic Development Group in Cohoes, New York, who have built Six Flags amusement parks and municipal pools. He said they could give the City a quote based on the depth and the size, and he noted they also do design work. He commented that it would be nice to find someone who could give the City a better prize.

Supply of Water Pipes

Council Member Olney said he wondered if DANC was having any problems obtaining water pipes and suggested staff could contact them to see if they have a separate supply chain or extra supply.

Jake Johnson's Public Square Buildings

Council Member Olney commended Mr. Johnson for the redevelopment of his building, noting that he likes the black paint on the façade and that it looks sharp.

Damage of Rental Property at 517 Mundy Street

Council Member Olney discussed at length the situation in which renters have caused approximately \$30,000 in damage to a property while not paying rent due to the eviction moratorium and the frustration of this landlord, as well as other landlords in the community. He said that people are destroying properties but there is not a penalty or recourse for doing so and he wondered if there is something the City could enact to solve this problem because he feared that developers will not want to invest in our community if it continues.

Mayor Smith noted that there is a crime involved but it is up to the District Attorney's Office to determine if they will prosecute it.

Attorney Slye explained that this would fall under a provision in the NYS Penal Law and asked for clarification whether the Council Member was asking for the City to make its own penal law, noting that the City does not have the authority to do so.

Council Member Olney said that he wondered if there was a law in NYS that the Police were not enforcing.

Mayor Smith reiterated that they need to know if the District Attorney will prosecute if charged because there is no use in charging someone if they are not prosecuted.

Council Member Olney discussed further the situation regarding the damage done to the landlord's property and the tenant not paying rent.

Council Member Pierce noted that the State's rent moratorium was what made some of those situations possible.

Later in the meeting, Council Member Ruggiero added that this issue can be blamed on the former and current Governor because the eviction moratorium tied the hands of landlords and it cost the property owners a lot. She also said that the landlord can contact the Police to file charges and relayed her personal experience with a similar situation.

Eclipse Meeting

Council Member Pierce announced the next Eclipse meeting would be on August 18.

Adopt-A-Spot Program

Council Member Pierce gave Council an update on the program, noting that ten participants have signed up. She mentioned that the Veteran's Memorial Riverwalk was adopted by the Fort Drum Soldier and Family Readiness Division and is planning a clean-up on Friday, August 19 at 1:00 am to 3:00 pm.

School District Swimming Pool – Comments from Privilege of the Floor

Council Member Pierce mentioned Mr. Philips' comments and she clarified that she thought an agreement could be made to have the school pool open for public swim during the winter months.

Sidewalk Conditions – Comments from Privilege of the Floor

Council Member Ruggiero mentioned that \$2 million had been allocated for sidewalk work in the current budget.

Mr. Mix advised that discussion on the sidewalk is planned for a future work session, and he reviewed the upcoming work session topics.

Trash Cans in Thompson Park – Comments from Privilege of the Floor

Mayor Smith addressed Mr. Dermady's comments, stating a previous Council and Superintendent of Parks and Recreation set the policy of carry in/carry out. He said this was discussed this year at budget time and it was determined that it is working well.

Adult-Use Ordinance/Drag Shows – Comments from Privilege of the Floor

Mayor Smith noted that, if there is an ordinance on the books, then the City should be enforcing it and if it is not being enforced, then the ordinance should be removed from the Code.

Mr. Mix said that it goes to the definition of adult-use and explained there is a contradiction in the wording, noting that the Zoning Re-Write Committee noticed this as well. He explained the process to repeal the ordinance.

A lengthy discussion of the ordinance, its history and whether drag shows violate the City Code ensued and Mayor Smith asked City staff to research this further.

Draft Zoning Ordinance

Mayor Smith encouraged the public to get involved in this process on the front end and it was announced that the next public open house will be held from 4:00pm to 6:00pm on September 12 in City Hall's Lobby right before the next work session.

A D J O U R N M E N T

At the call of the chair, meeting was duly adjourned at 9:03 p.m. by motion of Council Member Lisa A. Ruggiero, seconded by Council Member Sarah V.C. Pierce and carried with all voting in favor thereof.

Ann M. Saunders
City Clerk