

**CITY COUNCIL MEETING  
CITY OF WATERTOWN  
September 6, 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:** Patrick Keenan, Michael Delaney, Michael Lumbis, James Mills

The City Manager presented the following reports to Council:

- Resolution No. 1 - Accepting Bid for Western Outfall Trunk Sewer Manhole Rehabilitation – Phase 1 National Water Main Cleaning Company
- Resolution No. 2 - Authorizing Abatement of Releived Code Enforcement Surcharge on Real Property Tax Bill for Property at 628 Boyd Street, Parcel No. 12-05-125.000
- Resolution No. 3 - Approving The Professional Service Agreement for Design of Storm Sewer Outfalls City Center Industrial Park – Renzi Lots, Aubertine and Currier
- Resolution No. 4 - Accepting Donation of Salvaged Limestone Blocks from National Grid
- Resolution No. 5 - Approving Addendum to Tax Collection Agreement with Watertown City School District
- 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 Western Outfall Trunk Sewer, in and for Said City
- Sale of Surplus Hydro-electricity – July 2022
- Sales Tax Revenue – July 2022
- September 12th Work Session
- Watertown Wolves Liquor Sale Request

**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 15, 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**

A communication was received from P.J. Simao, 175 Main Avenue, regarding an email that Mr. Simao had previously sent to the City Manager from which he did not receive a response. It is concerning an “overflow parking lot” near Watertown Golf Club in Thompson Park.

**Above communication was placed on file in the office of the City Clerk.**

A claim was received from Jaime Worrell on behalf of The Arc Jefferson – St. Lawrence, seeking reimbursement for damages to a vehicle after driving over paint spilled from a DPW truck.

**Above claim has been referred to the Board of Audit.**

### **PRIVILEGE OF THE FLOOR**

**Larry Sorrell**, 1 Thompson Park, acknowledged that he is the Zoo NY Executive Director but that he was here tonight as a citizen to express the importance of people being able to speak their opinions at Privilege of the Floor. He said that, unfortunately, people are using Privilege of the Floor to make personal attacks towards Council Members and non-elected members of the public. He encouraged Council to develop a policy that would discourage this from happening and encourage people to follow the rules.

**Jason Traynor**, 424 Arsenal Street, spoke to Council regarding his opposition to the mask mandate on the City buses. He also said there needs to be change in the City because there is no voice at Council and things need to be done to address the drug issue and homelessness in the City. He said money should go towards those issues instead of putting it towards more projects.

**Walt Young**, 26372 County Route 3, Watertown said he was speaking on behalf of The Island Project and Resolution No. 4, stating he hoped Council would support this resolution to accept the donation and embrace the future use of the donated limestone to preserve the history of the Remington Mill.

**Avis Gilmore**, 305 Central Street, addressed Council about the downtown streetscape project, noting that she owns a business at 241 - 249 Coffeen Street. She said she did not know that Coffeen Street would be involved and has concerns that her business vehicles and equipment will not be able to get out of the newly planned entrances along the street.

City Manager Mix explained that the design was to decrease the curb cut in order to improve the aesthetics of the street.

**Donnie Lee Barrigar**, Adams Center, advised that there are upcoming drag shows scheduled within the City and asked for clarification of the law and how it will be applied. In regard to homelessness, he said that the County recently dedicated \$2.9 million to this issue, and he hoped the City could get involved as well, whether it be through funding or assistance. He suggested a possible solution would be to offer the homeless a bus ticket to leave the area, noting that some have told him that they would be interested.

**Rose McKenna**, Mannsville, informed Council that she had been homeless for a few years and explained that it was not safe, noting she had been harassed several times. She spoke of her personal experiences with homelessness and requested the City assist in any way that they can to help this

problem. Stating that mental health issues are serious and need to be dealt with, she said that people need to be put in the right place that has the correct services to help.

**Jonathan Phillips**, 735 Mill Street, said he is wearing a mask tonight to show what needs to be worn on City buses. He said that he talked to County officials about the mask mandate and was told Council would have to be the one to change it. He also discussed his opinion about the homeless situation, stating not all homeless people are bad, and he talked the condition of streets, sidewalks and sewers. He stated that he has complaints about the way City staff handled a sewer backup and the work done by DPW and Codes.

**Seth LaBarge**, Jefferson Street, addressed Council regarding problems with homeless people in the Butler Pavilion. He said that \$500 worth of food was donated to these people, but City staff threw it out. He mentioned the use of drugs and graffiti in the pavilion and said that people are destroying it. He suggested having an increased Police presence there.

## **RESOLUTIONS**

### **Resolution No. 1 - Accepting Bid for Western Outfall Trunk Sewer Manhole Rehabilitation – Phase 1 National Water Main Cleaning Company**

#### **Introduced by Council Member Lisa A. Ruggiero**

WHEREAS the City desires to reduce infiltration and inflow into the Western Outfall sewer network, and

WHEREAS on November 19, 2018, City Council approved a Professional Services Agreement with GHD Consulting Services, Inc for the evaluation of Western Outfall Sewer, and

WHEREAS on April 4, 2022, City Council approved a Professional Services Agreement with GHD Consulting Services, Inc for the design to reduce the infiltration and inflow into 63 manholes, and

WHEREAS the Purchasing Department advertised and received four (4) sealed bids for the Western Outfall Trunk Sewer Manhole Rehabilitation – Phase 1, and

WHEREAS on Friday August 12, 2022 at 11:00am, the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bids received with the Engineering Department and GHD Consulting, Inc., and it is their recommendation that the City Council accept the low bid submitted by National Water Main Cleaning Company, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from National Water Main Cleaning Company in the amount of \$196,550.00, and

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

BE IT FURTHER RESOLVED that approval of this resolution is contingent upon approval of the Bond Ordinance to fund the project.

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

**Resolution No. 2 - Authorizing Abatement of Relieved Code Enforcement Surcharge on Real Property Tax Bill for Property at 628 Boyd Street, Parcel No. 12-05-125.000**

**Introduced by Council Member Lisa A. Ruggiero**

WHEREAS the 2022-23 City Real Property Taxes on the property known as 628 Boyd Street, Parcel No. 12-05-125.000, are in the amount of \$785.18 of which \$432.33 represents the property taxes and \$352.85 represents a Code Enforcement re-levy for which includes a \$250.00 surcharge plus sales tax, and

WHEREAS the owner of 628 Boyd Street has requested relief from the Code Enforcement re-levy, and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that the amount of \$250.00 plus sales tax for the relieved Code Enforcement surcharge be abated from the 2022-23 City tax bill, and

BE IT FURTHER RESOLVED that the City Comptroller is hereby authorized to adjust the tax commitment and records accordingly and make whatever refunds necessary.

**Seconded by Council Member Sarah V.C. Pierce**

Prior to the vote on the foregoing resolution, Council Member Olney mentioned that he has been told of other times that the Code Enforcement surcharge has been charged and provided examples. He said he is fine with refunding the surcharge because he is not sure why it is charged.

Mr. Mix explained that the people who have been charged the surcharge have been cited and received notifications to take care of the problem. He further explained that the City receives complaints which generate the citations and the surcharge is added to the cost of cleanup due to the ordinance. He advised that Code Enforcement does not have the discretion to not charge it but noted that the ordinance could be changed to reflect different levels of charges based on whether it is a first-time offense.

Council Member Olney stated that he does not want Code Enforcement to be used as a revenue source.

Mr. Mix explained that the surcharge is meant to cover the administrative costs of handling the citation process.

Council Member Olney asked for a list of the different citations that have been issued and the amount that has been collected for each.

Mayor Smith clarified the process and that the goal is to have people respond and fix the problem, stressing there is a long timeframe for the notification process. He said the question should be why these property owners are not taking care of their property and garbage.

Council Member Olney said he thinks there is selective enforcement of the Code.

Mr. Mix clarified that this cannot be looked at as a service and the City does not want to be picking up people's garbage and taking care of properties.

Council Member Pierce mentioned that the City provides a bulk pickup service and residents should be using that.

Mayor Smith said that the City does not want to be in the business of mowing people's lawns because it takes staff away from their other responsibilities. He then explained the legal process that should be followed when a citation is issued and that several notices are sent to the property owner.

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

**Resolution No. 3 - Approving The Professional Service Agreement for Design of Storm Sewer Outfalls City Center Industrial Park – Renzi Lots, Aubertine and Currier**

**Introduced by Council Member Lisa A. Ruggiero**

WHEREAS the City Council re-adopted the Fiscal Year 2021-22 through 2025-26 Capital Budget to include \$200,000 for City Center Industrial Park stormwater improvements with the funding source being the American Rescue Plan Act of 2021, and

WHEREAS on August 16, 2022, the City of Watertown received a proposal from Aubertine and Currier regarding Civil Engineering, Design Services and Surveying Services associated with the construction and upgrades to two Storm Sewer Outfalls across the Renzi lots within the City Center Industrial Park, including improvements to a 900 ft. long segment located north of the Renzi Building, and a 620 ft. segment to the south of the building,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Professional Service Agreement from Aubertine and Currier in the amount of \$13,090.00 for professional services, 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 execute Professional Service Agreement on behalf of the City of Watertown.

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

**Resolution No. 4 - Accepting Donation of Salvaged Limestone Blocks from National Grid**

**Introduced by Council Member Lisa A. Ruggiero**

WHEREAS National Grid has offered to donate limestone blocks salvaged from the old Remington Mill ruins upstream of Glen Park to the City of Watertown, and

WHEREAS there is a desire among river advocates to re-use the blocks for redevelopment of the Black River,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the donation of the limestone blocks from National Grid, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to complete and execute any and all documents required for the transaction.

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

**Resolution No. 5 - Approving Addendum to Tax Collection Agreement with Watertown City School District**

**Introduced by Council Member Lisa A. Ruggiero**

WHEREAS the City Council approved an agreement with the Watertown City School District on June 21, 2021 to provide tax collection services on behalf of the School District for the 2021-2022 and 2022-2023 fiscal years, and

WHEREAS, an addendum to that agreement has been drafted at the directive of the NYS Commissioner of Education to clarify the timeframe in which the City must remit taxes to the School District,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Addendum to the Tax Collection Agreement between the Watertown City School District and the City of Watertown, 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 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 Hickey noted that the School District Law requires that the payment be made in five days, but the resolution discusses that the timeframe for remittance must be clarified.

Attorney Slye reviewed the history of the contract and recent litigation but stressed that the City Comptroller has been following the five-day requirement regardless of what the contract stipulated.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting 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 Western Outfall Trunk Sewer, in and for Said City**

**Introduced by Council Member Lisa A. Ruggiero**

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; 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 (the  
“City”), as follows:

Section 1. For the specific object or purpose of paying the cost of the rehabilitation of the Western Outfall Trunk Sewer, in and for the City, which is expected to include sealing leaking manhole structures, identifying and removing cross connections with storm sewers, additional flow monitoring and 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 four of paragraph a of Section 11.00 of the Local Finance Law.

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 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 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 the City Comptroller 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, the City Comptroller 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 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.  
Constitution.

Section 14. This ordinance, which takes effect immediately, shall be published in summary in the *Watertown Daily Times* the official newspaper of the City, 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 Sarah V.C. Pierce**

**Motion for unanimous consent moved by Council Member Lisa A. Ruggiero, seconded by Council Member Sarah V.C. Pierce 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.**

## **STAFF REPORTS**

### **Sale of Surplus Hydro-electricity – July 2022**

A report was available for Council's review. Mayor Smith noted how Mother Nature can affect the hydro revenue.

Council Member Olney said the City has received and gone through Steve Weed's report and, at this point, the City can sell electricity.

Mr. Mix indicated that the City needs to decide whether it wants to start buying and selling electricity.

Council Member Olney stated that the City should take the next step and added that the City also needs to consider increasing the capacity of the hydro plant.

### **Sales Tax Revenue – July 2022**

A report was available for Council's review.

### **September 12th Work Session**

Council agreed to hold the next work session at Zoo NY.

### **Watertown Wolves Liquor Sale Request**

Mr. Mix updated Council, stating the Watertown Wolves have withdrawn their request.

## **NEW BUSINESS**

### **Homelessness – Comments from Privilege of the Floor**

Mayor Smith noted that he has gone to the Butler Pavilion to see what is happening there and mentioned that he has discussed this with the County. He said the City does not have the infrastructure or services to assist with the homeless problem and that the County provides those services and has agencies in place to address this. He indicated that the City needs to make sure that the pavilion is cleaned up and is not being used for drug activity or to store personal belongings. He stressed that this is a downtown business area with market-rate apartments in nearby buildings.

### **Upcoming Events and Recent Meetings**

Council Member Hickey listed the following meetings and events: WARM virtual meeting on September 7, 51<sup>st</sup> Anniversary of the Attica Correctional Facility Upraising Prayers for Healing on September 9, Run for Recovery on September 10, Zoning Open House on September 12 from 4:00 – 6:00 p.m. in lobby of City Hall, Council Work Session on September 12, Zoning Re-Write Committee meeting on September 13, and 1<sup>st</sup> Day of Hispanic Heritage Month (9/15-10/15) on September 15. He announced that Saturday, September 17 marks the 7<sup>th</sup> year anniversary of the death of Vermont Trooper Kyle Young in the line of duty and asked for the community to pray for the law enforcement family and his local family.

### **National Suicide Prevention Week**

Council Member Hickey announced that September 4 through September 10 is National Suicide Prevention Week, which is a part of Suicide Prevention Awareness Month. He said that nearly 46,000 people in the United States died by suicide in 2020, which is about one death every 11 minutes, according to the U.S. Centers for Disease Control and Prevention. He added that the FCC will establish 988 as an easy-to-remember three-digit dialing code for suicide.

### **DANC**

Council Member Hickey noted that DANC was in the news concerning recycling and it appears that they have proposed that St. Lawrence County take ownership of its compactor, scales and two of its trailers to help facilitate the transfer from DANC operating a recycling transfer station to St. Lawrence County. He said that St. Lawrence County will be required to get their recyclables to a market.

### **Tree Treatments**

Council Member Hickey mentioned the tree treatment plan for the Ash trees and noted that Chestnut trees are being afflicted by a fungus. He advised that one out of every six trees native to the Lower 48 are at risk of extinction. Mentioning that Watertown has the distinction of having the title of Tree Watertown, he remarked that Watertown will have to do more innovative treatments to keep the canopy of healthy trees alive for the next generation. He spoke of what other communities are doing.

### **Suicide Prevention**

Council Member Hickey stated that the Jefferson County Suicide Prevention Coalition will be holding a summit on September 23 at the Watertown Elks 9:00 a.m. until 12:00 p.m. He said that invited stakeholders will focus on confronting suicide in our area. He reviewed the results of the recent 2022 Jefferson County Prevention Assessment Survey.

### **Public Toilets**

Council Member Hickey commented that he has seen many public restrooms damaged and mentioned that the State Correctional Facilities mitigated the damages by using a Willoughby 14-gauge stainless steel fixture. He further explained that the connections between outside plumbing and the fixture are concealed within the vandal resistant stainless-steel cabinet.

### **Homeless Concern**

Council Member Hickey remarked that the City cannot say that this is a different agency's problem, noting that what occurred at 661 Factory Street should have been an eye opener. He noted the number of homeless people has increased in the past year due to the closure of 661 Factory Street and other hotels and the discontinuation of the State's moratorium on evictions. He stressed this cannot be handled by one agency and Watertown needs to develop a definitive written action plan for a sudden influx of homeless like what occurred at 661 Factory Street, as well as plans for chronic homelessness.

### **Drug Issue and Crime**

Council Member Hickey reminded Council that he has warned of Watertown heading towards a worse drug problem and reviewed the statistics of recent studies showing higher levels of usage. He also mentioned recent drug activity that has occurred in nearby communities. He noted how increased drug issues can relate to higher crime rates and provided a summary of the High Intensity Drug Trafficking Area (HIDTA) 2021 Report to Congress. He also advised that Watertown is ranked sixth in the ten most dangerous cities in New York as ranked by the FBI.

Lastly, Council Member Hickey stressed that the police force needs more manpower and technology to combat this and stop the flow of drugs into the City and he advised the City needs to establish treatment programs and develop a policy to arrest, convict, institutionalize and rehabilitate individuals involved in criminal activity.

### **Mask Mandate**

Council Member Hickey indicated that Governor Hochul had dropped hints that the mask mandate on mass transit could be lifted soon.

### **City Tennis Tournament**

Council Member Hickey informed Council that the deadline to register for the city's tennis tournament is September 7 at Noon. The tournament will be held at Watertown High School on September 10 and more information can be found at [nctennisassoc.com](http://nctennisassoc.com). He also gave the email address to register as [ncta@outlook.com](mailto:ncta@outlook.com)

### **Patriots' Day**

Council Member Hickey reminded Council that a commemoration of Patriots' Day will be held at the American Legion at 10:15 a.m. on Sunday, September 11.

### **Zoning Open House**

Council Member Hickey noted the second Open House to display the new Zoning Ordinance draft will be September 23, from 4:00 p.m. to 6:00 p.m. in City Hall's Lobby.

### **Additional Funding for Paving**

Council Member Hickey noted that the Jefferson County Legislature was voting to modify its budget due to additional funding for paving. He asked if the City has received any additional funding.

City Comptroller James Mills advised that the City's CHIPs funding did not change.

### **Skateboard Park**

Council Member Olney thanked staff for installing a porta potty and repaving the skateboard park. Later in his discussion, he reminded Council that the October work session will contain this as a topic, and he will be presenting his proposal at that time.

### **Speeding Complaint on Wealtha Avenue**

Council Member Olney stated the resident who complained about speeding was thankful for the speed monitoring sign being put in place. He reminded people to be mindful of the City speed limits.

### **Vacancies in the Police Department**

Council Member Olney reviewed the State's eligibility criteria to be considered as a candidate for the police force. He said he wondered how this affects the lack of potential candidates, stating he does not agree with some of the criteria.

Attorney Slye clarified that the criteria is set by the NYS Civil Service Commission.

### **Comments from Privilege of the Floor**

In response to Mr. Traynor's comment, Council Member Olney said there is a voice on Council and agreed that the homeless problem needs to be addressed. He stressed that homelessness is solved by one homeless person at a time. He said he feels the City can help and thinks members of Council and Mr. Mix should attend the County's Homeless Task Force Meeting. Regarding the concerns from the business owner on Coffeen Street, he said he would like to meet with her to get more information.

### **Landlord and Tenant Issues**

Council Member Olney said that the issue needs to be addressed with tenants causing damage to landlord's properties. He suggested the City consider creating an authority to oversee the interactions between landlords and tenants.

### **Police Concerns**

Council Member Olney said he has reviewed police reports and bail reform and said it seems there is more that can be done by judges.

### **Staff Vacancies**

Council Member Olney advised would like a report on how many positions which were added to the budget this year have been filled. He said he wonders how these positions are being advertised and marketed.

### **Water Treatment Plant Roof**

Council Member Olney reported that he had his ladder safety training and took a look at the roof on the Water Treatment Plant. He said he agrees that the money that is being bonded for to fix the roof needs to be spent.

### **Solar Eclipse Meeting**

Council Member Pierce provided an update on the committee, noting that they are focusing on marketing efforts. She said the next meeting is on October 27 at 3:00 p.m.

#### **Downtown Facade Project**

Council Member Pierce asked if the City receives updates regarding the Downtown Facade Project. She said she had been contacted by one business owner looking for an update.

Planning and Community Development Director Michael Lumbis explained there were delays but contracts are starting to get in place and the committee has been meeting more regularly in order to get things back on track.

#### **Vacancies in the Police Department**

In regard to the age criteria for eligible candidates, Council Member Pierce advised that it is set in the Civil Service Law and mentioned Senator Ritchie has introduced a bill for consideration to change this but it is still in process.

#### **Downtown Streetscape Project Complaint**

Council Member Ruggiero thanked City Planner Geoffrey Urda for assisting a business on Court Street which was affected by limited parking due to the construction.

#### **Bravo Italiano Festival and Downtown Block Party**

Council Member Ruggiero announced that these events were held recently, and they both were successful. She thanked all those that were involved in making them happen.

#### **First Day of School**

Council Member Ruggiero wished students and teachers a successful year.

#### **Neighbors of Watertown Complaint**

Council Member Ruggiero noted she met with Patrick Grutter and Reg Schweitzer of Neighbors of Watertown in May to resolve an issue, which she thought the parties had come to an agreement on. She said she recently was informed that the work was still not done and asked staff to look into this.

#### **Patriot Day**

Council Member Ruggiero thanked Council Member Hickey for mentioning this upcoming event and provided more details of it. She encouraged everyone to attend.

#### **Snowtown USA Request**

Council Member Ruggiero explained that Council received a letter requesting that the Park Circle be closed for three dates.

Mayor Smith agreed this was a good idea and said he had talked to Mr. Mix about it.

Mr. Mix advised that he has circulated the request among the departments for their input and is still waiting for some responses.

Council Member Ruggiero suggested using synthetic ice and requested the pricing for it.

Council Member Olney said he would support helping with Snowtown USA.

**Tree Clearing in Thompson Park**

Mayor Smith said this is a continual process and that it looks very nice.

**Sewer Issues on Stuart Street**

Mayor Smith asked for staff to provide a report on any sewer issues in this area.

**Adult Use Ordinance – Comments from Privilege of the Floor**

In regard to the inquiry about drag shows, Mayor Smith asked if this ordinance is enforceable. He asked Attorney Slye to provide an opinion letter on the matter.

**Change of Command at Fort Drum**

Mayor Smith announced that there will be a change in command on Friday and thanked Major General Beagle for his service at Fort Drum. Mayor Smith wished him well and discussed the importance of Fort Drum to this community and its role in the Nation's defense.

**Clarkson Engineering Interns**

Mayor Smith mentioned that the City used to do an internship program with Clarkson and thought the City should try to implement this again in hopes of finding candidates for future employment.

**Motion was made by Council Member Lisa A. Ruggiero to move into Executive Session to discuss the employment history of a particular individual, collective bargaining and proposed, pending, or current litigation.**

**Motion was seconded by Council Member Sarah V.C. Pierce and carried with all voting in favor thereof.**

Council moved into Executive Session at 9:01 p.m.

Council reconvened at 11:05 p.m.

***The following discussion was scribed by Deputy City Clerk Lisa M. Carr:***

Mayor Smith noted for the public's benefit that the City Council has three employees: the City Attorney, the City Clerk and the City Manager. He then explained that any communications from those employees should be held in confidence by the members of Council. He then went on to explain a recent situation in which City Clerk Ann Saunders had emailed members of Council with her concerns about the nature of some emails she received from P.J. Simao and, subsequently, that a private email had been shared with Mr. Simao. Mayor Smith stated that a City Council Member sharing that correspondence with Mr. Simao was unethical and a disturbing violation of Ms. Saunders' trust. He noted that each member of Council has denied forwarding the email. He went on to explain that he was in possession of the email Mr. Simao sent to Ms. Saunders which contained the text of her confidential email to Council. Mayor Smith mentioned the City's IT Department had determined the email had only been forwarded once and that was from Council Member Ruggiero's City email address to her private email address.

Council Member Olney stated he did not recall having sent Ms. Saunders' email to anyone and that he had only had a verbal conversation with Mr. Simao regarding the matter. He explained that he had

sought an explanation for the rules on correspondence being read in City Council Communications during meetings, which was the subject of the original emails by Mr. Simao, and noted he disagreed with the need to read the complete text during the meeting.

Mayor Smith clarified, for the public, that the initial email from Mr. Simao was sent to the City Manager and Mr. Simao had requested it be read into the record during a City Council meeting and this did not follow proper procedures. According to Rules of Council, the City Clerk reads a summary of communications received, not the complete text, unless instructed by Council to do so.

Council Member Olney disagreed with the Mayor that the reading of the email was not the issue. Council Member Olney said it was his understanding that the issue was whether or not the complete email was going to be read into the record and it was up to Council to decide if it was necessary. He felt the reason the email was sent to Council was so that Council could ask Mr. Mix when he knew about the parking issues at Watertown Golf Club.

Mayor Smith redirected Council Member Olney to the email under discussion, which is the City Clerk's email about the threatening nature of an email and phone call she received from Mr. Simao. He reminded Council that the issue is that Ms. Saunders' private email sent to her employer (City Council) was then forwarded by a member of City Council to the person she felt threatened by. He noted that Mr. Simao then responded to the City Clerk referring to her confidential email, the text of which was included in his email. He reiterated that the issue under discussion is not the original email from Mr. Simao or the reading of it into Communications but the violation of trust between the City Clerk and the Council. He stated that the Council's three employees should be able to trust the members of Council and it is unfortunate that this occurred.

Council Member Olney repeated he did not remember sending an email to Mr. Simao. He stated he disagreed with the Mayor's characterization of the issue being one of trust between employer and employee and said it was instead an issue of protecting employees who work for the City. He indicated there was nothing confidential about Ms. Saunders' email. He contrasted her email with one recently received from the City Attorney noting attorney/client privilege and stated this was not the same. He mentioned that, in his opinion, the sharing of the email was not a violation of City protocol. He further noted that the email from Mr. Simao to Ms. Saunders did not rise to the level of a threat, in his opinion. He said he spoke to Mr. Simao regarding the email to tell him that he found the tone of the correspondence unnecessary. He added he felt he was defending the City Clerk.

Mayor Smith again noted that the correspondence from the City Clerk was confidential information and should not have been shared. He noted that the City's Human Resources Manager had said that if it was any other employee under any other supervisor, the supervisor would have been disciplined and possibly terminated.

Council Member Ruggiero explained to Council that she forwarded the City Clerk's email, and other emails that she feels are important, to her personal email because of issues she has with her iPad.

Council Member Olney agreed and said he did the same thing because his personal email is better organized. He went on to say that he felt the goal of the City Clerk's email to Council was to put a stop to the emails between her and Mr. Simao and that was his intention in speaking to Mr. Simao about the email.

When asked by Mayor Smith for his input, Council Member Hickey said he thinks Council should protect all City's employees, adding he is not in favor of the forwarding of the email to Mr. Simao.

Council Member Pierce stated that she did not forward the email to Mr. Simao. She commented that, in her job, she supervises others and if one of them came to her saying they felt they were being bullied or mistreated by another person, she would never then tell that person all the details of what had been discussed. She mentioned she does not know how the City Clerk would be expected to trust Council if her comments are being shared. She mentioned that, if Council really wanted to know who forwarded the email, it is FOILable.

### **ADJOURNMENT**

**At the call of the chair, meeting was duly adjourned at 11:20 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