

**CITY COUNCIL MEETING
CITY OF WATERTOWN
November 21, 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 (left the meeting at 9:04 p.m.)
 Council Member Lisa A. Ruggiero
 Mayor Jeffrey M. Smith

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

City staff present: James Mills, Scott Weller, Kyle Meehan, Michael Lumbis

The City Manager presented the following reports to Council:

- Resolution No. 1 - Approving Plan Service Agreement for Administration of Section 125 Plan, Benefit Services Group
- Resolution No. 2 - Approving Request for Shuttle Bus Service, Northern Choral Society
- Resolution No. 3 - Approving Pole Attachment Agreement, National Grid
- Resolution No. 4 - Directing the City Manager to Obtain Third Party Appraisals of Real Estate and Personal Property owned by Watertown Golf Club, Inc. and 1 Thompson Park LLC And the Federal and State Income Tax Returns Filed for the Last Three Full Fiscal Years for Both Companies
- Resolution No. 5 - Accepting Bid for the Outdoor Scoreboards & Installation William T. Field Fairgrounds (Baseball & Football) Project Toth's Sports
- Resolution No. 6 - Directing the City Manager to Conduct Phase 2 of the Thompson Park Brush Clearing Project
- Resolution No. 7 - Authorizing Public Sale of City Owned Tax Sale Certificates
- Resolution No. 8 - Readopting Fiscal Year 2022-23 General Fund Budget – Jefferson County Homeless Assistance
- Ordinance No. 1 - Changing the Approved Zoning Classification Of the Rear Portion of 528 and 540 State Street, Parcel Numbers 12-03-127.000 and 12-03-128.000 from Residence C to Commercial
- Ordinance No. 2 - Amending Chapter 216: Parks, Playgrounds, and Recreational Areas of the City Code – Adding Facilities, Prohibiting Camping, and Abandonment of Personal Items
- UMR and ProAct performance reports for FY 2021-2022
- Sales Tax Revenue – October 2022
- Sale of Surplus Hydro-electricity – October 2022
- NDC Housing Program – 214 East Hoard Street
- Property Purchase Offer – 850 Superior Street
- Jefferson County Wide Transportation Community Input Discussion

Complete Reports on file in the office of the City Clerk

Meeting opened with a moment of silence and Mayor Smith asked that it be in remembrance of Nora Bajjaly and Michael Worley.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of November 7, 2022, and the work session of November 14, 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 present voting in favor thereof.

COMMUNICATIONS

An email was received from Debbie and Bill Dermady, 118 Seymour Street, in regard to the Watertown City Council Facebook page, asking who is responsible for maintaining it. In addition, she included the statement that she wanted to post on the Facebook page regarding the process of handling flag requests and the recent request that was denied.

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

PRIVILEGE OF THE FLOOR

Michael Wojcicki, 1111 Harrison Street, addressed the chair expressing his concerns about the minutes of the meeting on November 7, which he believes do not accurately represent what he said at the meeting. He explained that at that meeting, he had requested a notice of claim be made part of the meeting minutes and felt that was not done. He requested an amendment to the meeting minutes to include that notice of claim. He further requested that meeting minutes be published from a different meeting about the Watertown Golf Club, which was attended by Mr. Lundy, Mr. Simao, their attorneys, Mr. Mix, City Attorney Slye and Council Member Ruggiero. He commented that the meeting had been influential on how Council Members had voted on the purchase of Watertown Golf Club. Mr. Wojcicki further commented about his interpretation of what he called the City's Camping Ordinance.

Mayor Smith responded regarding minutes for the Watertown Golf Club meeting that, since only one Council Member attended, no meeting minutes were required.

Jason Traynor, 424 Arsenal Street, spoke of the homeless problem, his support of the City giving them funds and his concerns that it will not be enough. He stressed homelessness should be the City's number one priority.

Seth LaBarge, Jefferson Street, informed Council that he had to plow his own street during the recent snowstorm and suggested using private plowing contractors. He also suggested the City should have done more to find a place for the homeless when the issue first came to light.

Jonathan Phillips, 735 Mill Street, questioned where DPW staff was during the recent storms and complained about the conditions of the roads and sidewalks, noting people had to push each other out of snowbanks. He further expressed his frustration with this Council regarding the homeless issue.

Scott Gray, 139 Thompson Boulevard, addressed the chair to update Council about the new warming center on Main Avenue and clear up some concerns. He agreed with the Mayor that the damages done

to the Pavilion are unacceptable and the conditions there are deplorable. He noted the last of the holdouts at the Pavilion have been brought to the warming facility and the facility is currently full with about 20 people staying there. He also mentioned that it would be appreciated if the belongings left at the pavilion could be brought to the new shelter. He informed Council that the facility was not paid for by anyone as the building was donated and cleanup and construction to the bathrooms were done by volunteers with donated funds and materials. Noting that the building needs security, he said it was originally provided by volunteers who have received clear instructions on what to do in case of an emergency but is now at a point that it needs to be hired out. He further stressed that the building would need supervision to maintain order and provide safety to people and their personal belongings. Mr. Gray informed Council that the County is not asking for funds but, if the City would like to assist, the facility will incur future costs for security, a dumpster and cleaning services. He noted this center was meant to be temporary until the Salvation Army Warming Center was up and running. He expressed his opinion that this is a City, County and State problem that needs a solution provided by the community.

Mayor Smith mentioned an email he had received from the State regarding possible funding and the close involvement the City has had with the Police Department during this transition, and he requested Mr. Gray point out those things as well.

Mr. Gray suggested the City provide protection to the people working to clean up the Pavilion, noting the presence of needles and drug paraphernalia. He also informed Council that a representative from the State had been in to assess the situation at the Pavilion and had taken pictures.

Mr. Gray explained to Council that the people being housed are sometimes difficult to deal with as they have a variety of issues, but he felt their trust had been earned in this new facility. He also noted that they prefer the term displaced rather than homeless.

Mr. Hickey asked if a washer and dryer was available in the facility.

Mr. Gray said those were not available but there was a refrigerator and a microwave and minimal facilities to cover their basic needs.

PROCLAMATION

Mayor Smith interrupted the regular course of business to proclaim the first Friday of December Annual Dave Bonney Memorial “Old Newsboy Day” in the City of Watertown and encourage recognition of his service by all residents of the City of Watertown.

RESOLUTIONS

Resolution No. 1 - Approving Plan Service Agreement for Administration of Section 125 Plan, Benefit Services Group

Introduced by Council Member Lisa A. Ruggiero

WHEREAS on September 21, 2022, an RFP for the Administration of the City of Watertown’s Section 125 plan was issued, and

WHEREAS it is the recommendation of the Benefits Administrator that the City of Watertown

accept the Plan Service Agreement with Benefit Services Group | One Digital beginning January 1, 2023,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, hereby approves the one-year contract with the option to renew with 2 successive one-year terms for the Administration of the City's Section 125 Plan, a copy of which is attached and made part of this resolution, effective January 1, 2023, 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 present voting yea.

Resolution No. 2 - Approving Request for Shuttle Bus Service, Northern Choral Society

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the Northern Choral Society has performed a holiday concert at the Asbury United Methodist Church for the benefit of the citizens for years, and

WHEREAS the City of Watertown had graciously provided shuttle bus service for this concert at no charge to the riders or the Northern Choral Society since 2004, and

WHEREAS it is the recommendation of the Transit Director to continue this service as part of the City of Watertown's Charter Bus Policy,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, approves providing the shuttle bus service at no charge for the Northern Choral Society concert planned for December 3 and 4, 2022, at the Asbury United Methodist Church on Franklin Street.

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

Resolution No. 3 - Approving Pole Attachment Agreement, National Grid

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City of Watertown desires to display holiday decorations throughout the community, and

WHEREAS National Grid, owners of the street lighting system, wishes to permit civic organizations and/or municipal corporations to temporarily attach seasonal decorations, announcements, and special-event notifications to their facilities, and

WHEREAS National Grid has asked the City to approve a Pole Attachment Agreement to cover the use of their facilities,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves the Pole Attachment Agreement, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that 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 if the flags that are currently hanging in the downtown area were included in this agreement.

Mr. Mix explained that this agreement is only for seasonal decorations, some requiring electricity. He clarified that the other flags, considered as banners, have been hung there for many years.

Council Member Ruggiero mentioned the Hometown Heroes Program that other communities do and suggested implementing this program here. She said that she has discussed this with the Chamber of Commerce.

Planning and Community Development Director Michael Lumbus confirmed for the Mayor that the new decorations that were budgeted for were purchased.

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

Resolution No. 4 - Directing the City Manager to Obtain Third Party Appraisals of Real Estate and Personal Property owned by Watertown Golf Club, Inc. and 1 Thompson Park LLC And the Federal and State Income Tax Returns Filed for the Last Three Full Fiscal Years for Both Companies

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City Council agreed by resolution adopted on November 7, 2022 to purchase the real estate and equipment owned Watertown Golf Club, Inc. for \$3.4 million contingent on an acceptable purchase agreement being drafted and necessary information on operating the course being provided, and

WHEREAS 1 Thompson Park, LLC owns the course maintenance and mowing equipment, and golf accessories and carts, and

WHEREAS the City Council desires to obtain additional information about the value of the property and the operational finances of the course,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown directs the City Manager to obtain third-party appraisals of the value of the real estate and personal property owned by Watertown Golf Club, Inc. and 1 Thompson Park, LLC, and

BE IT FURTHER RESOLVED that the City Manager is also directed to obtain the federal and state income tax returns filed for the last three full fiscal years for both said companies.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Mr. Mix clarified for Council Member Olney that the information which was received today from Mr. Lundy was a list of the assets and equipment.

Council Member Olney commented that he looks at this as buying land that happens to have a golf course on it. Stating that a part of this deal was a settlement agreement, so the discussion had to be confidential, Council Member Olney said he feels the public does not clearly understand the details of this deal because of the process of how it was dealt with. He stated he is not concerned about Mr. Lundy's profit or tax returns or an appraisal because it is more about the City's vision of what they can do with it. Noting that Mr. Lundy made it clear that he was not willing to release his tax returns, Council Member Olney said he feels this resolution was put up as an obstacle and to distract the public.

Council Member Hickey asked the City Comptroller for his opinion based on the information that has already been received of whether running a golf course could break even or make a profit.

City Comptroller James Mills stated he has not seen the financial data and does not know what the projected revenue could be, so he is not prepared to answer this question at this point.

Mr. Mix clarified that staff is still in the process of analyzing the information and the process for running a golf course. He advised that there are three components – groundskeeping, pro shop and concessions. Regarding the groundskeeping, he said the City could either hire City staff to maintain it or hire it out, noting that it might be advisable to put it out to bid for the first year. For the pro shop, he indicated that staff could be used, and for the concession stand, he advised it should probably be contracted out because the City probably does not want to be in the business of selling alcohol. In response to Council Member Ruggiero's inquiry about revenue from greens fees, he commented that he is not sure it could run as a profit the first few years. He responded to other questions about the financial information provided by Mr. Lundy, noting that Mr. Lundy requires that a Nondisclosure Agreement be signed by anyone who reviews any additional information.

Mayor Smith expressed his opposition to the purchase of the property for \$3.4 million, stressing that if personal dollars were being used to buy a business, then seeing tax returns and appraisals would matter for the decision process and to any bank providing a loan. He stressed this is taxpayer dollars being used so it should matter as well.

Council Member Ruggiero mentioned previous discussions that occurred in 2006 by Council regarding the Watertown Golf Club, in particular statements made by then Council Member Smith, and noted that an appraisal did not seem important to them at the time.

Further debate ensued about the purchase of the Watertown Golf Club, with both sides arguing why they either agree or disagree with the purchase. Conversation centered around whether the City running a golf course could be profitable.

Mr. Mix pointed out that all of the initial review that is being done is ignoring the purchase price of \$3.4 million, which could not be done if this was a private purchase. He reiterated that the only way this will make money or break even is to remove the purchase price from the equation.

The initial meeting with Mr. Lundy, Mr. Simao, their attorneys, Mr. Mix, Attorney Slye and Council Member Ruggiero was discussed in detail. It was confirmed for the public's benefit that Mayor Smith was invited but could not attend and that Council Member Olney did not attend because he was not invited. The comments made in regard to this during Privilege of the Floor were addressed and it was

confirmed that no minutes were required to be taken. The transparency of the meeting and who said what about the confidentiality of it was debated.

Council Member Pierce mentioned that the intent of this resolution is to obtain additional information, stating that more information is better for making the decision, and more transparency is better because the public should be more aware.

Mayor Smith added that he is not in favor of adding a restriction to other people's property, which is included in this deal. He summarized the intent of this resolution, noting that Council Member Hickey was supportive of obtaining an appraisal and the tax returns at the previous Council meeting.

At the call of the chair, a vote was taken on the foregoing resolution and defeated with all voting nay except for Council Member Sarah V.C. Pierce and Mayor Jeffrey M. Smith voting yea.

Resolution No. 5 - Accepting Bid for the Outdoor Scoreboards & Installation William T. Field Fairgrounds (Baseball & Football) Project Toth's Sports

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City's Parks and Recreation Department desires to replace the current scoreboards at the main baseball and football fields located at William T. Field, Fairgrounds, and

WHEREAS the Purchasing Department advertised and received one (1) sealed bid for the Outdoor Scoreboards & Installation – William T. Field, Fairgrounds (Baseball & Football) Project, and

WHEREAS on Wednesday, November 2, 2022, at 2:00 p.m. the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bid received with the Parks and Recreation Department and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Toth's Sports, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Toth's Sports in the amount of \$118,550, 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.

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

Resolution No. 6 - Directing the City Manager to Conduct Phase 2 of the Thompson Park Brush Clearing Project

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the first phase of the Thompson Park Brush Clearing Project, involving the clearing of approximately 11 acres of invasive species such as European buckthorn, honeysuckle and bittersweet, was recently completed, and

WHEREAS Staff is proposing to conduct a second phase of this project to continue the efforts to

improve trails and remove invasives that have for decades, outcompeted native trees and shrubs and overtaken many of the park's once pastoral lawns and woodland edges, and

WHEREAS the City Council of the City of Watertown desires to continue the removal of invasive species in Thompson Park,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby directs the City Manager to draft plans and specifications for the Thompson Park Brush Clearing Project Phase 2 and put it out to bid, and

BE IT FURTHER RESOLVED that the funding shall come from the American Rescue Plan Act funds designated for the Thompson Park Renovation Project in the 2022-2023 Capital Budget.

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

Resolution No. 7 - Authorizing Public Sale of City Owned Tax Sale Certificates

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City of Watertown is the owner of certain tax sale certificates on various lots of land as designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as follows:

<u>Parcel Number</u>	<u>Address</u>	<u>Original Tax Sale Certificate Amount</u>
02-01-103.011	235 Main Avenue	\$ 11,273.50
01-14-121.000	465 Martin Street	\$ 1,867.61
06-04-306.000	413 Factory Street	\$ 4,143.31

and,

WHEREAS the City Council does not wish to take title to these properties,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 13 adopted by the Council, on June 6, 1977, the Comptroller of the City of Watertown be and he hereby is authorized to publish a Notice of Sale of the tax sale certificates for the land above mentioned once a week for three (3) consecutive weeks in the official newspaper of the City of Watertown to the effect that said parcels of land will, at 6:00 p.m. on the 13th day of December, 2022, in the 3rd Floor City Council Chambers in the Municipal Building, 245 Washington Street, be offered individually for sale to the highest bidder there present, and

BE IT FURTHER RESOLVED that the City Comptroller be and he hereby is authorized to accept bids for said parcels, in an amount not less than the minimum price set below, subject to the rights of the said City Council to reject any and all bids, and

<u>Parcel Number</u>	<u>Address</u>	<u>Minimum Bid</u>
02-01-103.001	235 Main Avenue	\$25,000

01-14-121.000	465 Martin Street	\$ 5,000
06-04-306.000	413 Factory Street	\$ 10,000

BE IT FURTHER RESOLVED that the highest bidder deposit at least 10 percent (10%) of the bid price at the same time of each said bid with the City Comptroller, and

BE IT FURTHER RESOLVED that said tax sale certificates shall be offered for sale for cash only, and

BE IT FURTHER RESOLVED that the said bids shall be submitted to the City Council for their approval or rejection, and

BE IT FURTHER RESOLVED that the City reserves the right to withdraw any tax sale certificate prior to the public sale of said certificate.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Council Member Olney pointed out that this resolution includes a property owned by PJ Simao. He questioned the way this tax sale certificate was handled, noting that there was a refund of funds, but he believes the charter stated the refund should have come before Council. He said there were emails going back and forth today about it.

Mayor Smith indicated that the property owner did not pay his taxes.

Attorney Slye provided a detailed explanation of the tax sale certificate process and how there was a mistake in that one mortgagee did not receive proper notice of the redemption period deadline.

Mr. Mills reexplained what had occurred and what was done to correct it upon advice of the attorney and the provision of the charter.

More discussion occurred regarding the section of the charter which pertains to this, as well as the interpretation of the words the "Council shall" and Attorney Slye stressed that the actions taken by the City Comptroller benefited the taxpayer.

Council Member Olney continued to question the way this was handled.

Council Member Ruggiero suggested amending the resolution to not include 235 Main Avenue.

Mayor Smith questioned what the problem would be with putting the tax sale certificate out to sale. He pointed out that the owner of the property did not pay his taxes and the tax sale certificate was auctioned, so now the City should sell the certificate for the benefit of the taxpayer. He asked if Council does not want to sell the certificate and have the City redeem it by taking title to the property.

Council Member Ruggiero reiterated that she would like to amend the resolution because there is not clarity in terms of what is going on with this particular tax sale certificate.

Motion was made by Council Member Lisa A. Ruggiero to amend the foregoing resolution by removing the 235 Main Avenue property.

Motion was seconded by Council Member Clifford G. Olney III.

Mayor Smith said, for the public's benefit, that the common theme through this is that the property owner is Mr. Simao, who did not pay the taxes. He questioned why Council would not want to put this one property back on the tax rolls, but are doing so with the others.

Council Member Ruggiero stressed that this only delays it.

At the call of the chair, a vote was taken on the amendment and carried with all voting yea except for Council Member Sarah V.C. Pierce and Mayor Jeffrey M. Smith voting nay.

At the call of the chair, a vote was taken on the amended resolutoin and carried with all voting yea except for Council Member Sarah V.C. Pierce voting nay.

Resolution No. 8 - Readopting Fiscal Year 2022-23 General Fund Budget – Jefferson County Homeless Assistance

Introduced by Council Member Lisa A. Ruggiero

WHEREAS on June 6, 2022, the City Council passed a resolution adopting the Budget for Fiscal Year 2022-23, of which \$57,731,644 was appropriated for the General Fund, and

WHEREAS City Council wants to provide financial assistance to Jefferson County towards their efforts of providing assistance to the homeless population in the City, and

NOW BE IT RESOLVED that the City Council of the City of Watertown hereby re-adopts the General Fund Budget for Fiscal Year 2022-23 and makes the following adjustments in the re-adopted General Fund Budget:

GENERAL FUND

Expenditures:

A.1990.0430	Contingency – Contracted Services	(\$25,000)
A.6530.0430	Social Services Agency - Contracted Services	<u>\$ 25,000</u>

Seconded by Council Member Sarah V.C. Pierce

Rules waived by Motion of Council Member Lisa A. Ruggiero, seconded by Council Member Sarah V.C. Pierce and carried with all present voting in favor thereof.

Council Member Ruggiero mentioned that Transitional Living has \$2.5 million to build a homeless shelter, but it could take two years to complete. She also said that the Salvation Army is waiting to open the warming center until it can ensure that security and staff are in place. She stated that the City should work with the County to develop a solution to this problem, and this is a temporary fix. She proposed amending the resolution to state “up to but not exceeding \$25,000” because the County might not need all the funds if it receives State funding as well.

Council Member Pierce questioned whether the funds were going to the County or the Salvation Army.

Mr. Mix explained that this a budget amendment, which only set an amount for budgetary purposes. He added that Council would have to approve an agreement, which would set the details of the payments.

Council Member Olney expressed support for this, stating it shows the City's commitment to being part of the solution.

Council Member Ruggiero commented that this is a step in the right direction. Stating she is glad that everyone has left the Pavilion, she said that she had received complaints from business owners in that area.

Details of who would be paid, whether it be the County or an agency, and for how much was discussed and Mr. Mix confirmed those decisions would be determined by a contract being in place.

In response to Council Member Pierce's inquiry, Council Member Ruggiero confirmed that this would be a onetime expense, not to be repeated. She also replied to Council Member Pierce that she is not aware of whether the County has allocated anything in their budget to homeless assistance.

Mayor Smith remarked that everyone cares about the homelessness problem, but it is not the role or function of City government to take care of social services. He stressed that City residents pay for this service through their County taxes. He also stated that he received an email from the County Supervisor indicating that the County does not need this funding nor are they asking for it. He noted that he cares about the homeless, but he wants the proper government body to pay for it.

Council Member Pierce commented that she does not have a problem budgeting for this, but she would like to see the County have a buy-in as well. She added that she would like Council to have approval of what it is to be spent on.

Mr. Mix reminded Council that they would have to approve an agreement specifying how the money will be spent.

Mayor Smith wondered if Council should wait until there is an agreement requesting the funds by the County or an agency.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all present voting yea except for Mayor Jeffrey M. Smith voting nay.

ORDINANCES

Ordinance No. 1 - Changing the Approved Zoning Classification Of the Rear Portion of 528 and 540 State Street, Parcel Numbers 12-03-127.000 and 12-03-128.000 from Residence C to Commercial

Introduced by Council Member Lisa A. Ruggiero

BE IT ORDAINED where Stephanie Albright, P.E. of APD Engineering on behalf of Hospitality Syracuse, Inc. has made an application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning classification of the rear portion of 528 and

540 State Street, Parcel Numbers 12-03-127.000 and 12-03-128.000 from Residence C to Commercial and

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its November 1, 2022, meeting and adopted a motion recommending that City Council change the approved zoning classification of the rear portion of both parcels, and

WHEREAS a public hearing was held on the proposed zone change on December 5, 2022, after due public notice, and

WHEREAS the City Council has made a declaration of Negative Findings of the impacts of the proposed zone change according to the requirements of SEQRA, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change,

NOW THEREFORE BE IT ORDAINED that the approved zoning classification of the rear portion of 528 and 540 State Street, Parcel Numbers 12-03-127.000 and 12-03-128.000 shall be changed from Residence C to Commercial, and

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect the zone change, and

BE IT FURTHER ORDAINED this amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or otherwise printed as the City Manager directs.

Seconded by Council Member Sarah V.C. Pierce

Motion was made by Council Member Lisa A. Ruggiero to schedule a Public Hearing on the foregoing ordinance for Monday, December 5, 2022 at 7:15 p.m. Motion was seconded by Council Member Sarah V.C. Pierce and carried with all present voting in favor thereof.

Ordinance No. 2 - Amending Chapter 216: Parks, Playgrounds, and Recreational Areas of the City Code – Adding Facilities, Prohibiting Camping, and Abandonment of Personal Items

Introduced by Council Member Lisa A. Ruggiero

WHEREAS, the City Council wishes to control unauthorized camping and the leaving of personal belongings and garbage in City parks, playgrounds, and recreational areas, and

WHEREAS, Joseph M. Butler, Sr. Pavilion is not listed in the City Code as a Recreational Area and is therefore not regulated as such, and

WHEREAS, North Star Playground is not listed in the City Code as a Playground and is therefore not regulated as such, and

WHEREAS, Bicentennial Park is exempted from having closing hours,

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Watertown that it hereby amends Section 216-1 of the City Code by adding “Joseph M. Butler, Sr. Pavilion” to the list of “Parks and Recreation Areas” and “North Star Playground” to the list of “Playgrounds”, and

BE IT FURTHER ORDAINED that Paragraph “B” of Section 216-3 is replaced in whole to read as follows: “B. No person shall enter or remain in any park or recreational area, except John C. Thompson Park, Veterans' Memorial Riverwalk, Waterworks Park, Alex T. Duffy Fairgrounds, and Whitewater Park, from 9:00 p.m. to 6:00 a.m.”, and

BE IT FURTHER ORDAINED that a new “Section 216-6.1. Camping” is added to read as follows: “Pitching a tent or campsite is prohibited, except at sanctioned events approved by the City Manager.”, and

BE IT FURTHER ORDAINED that a new “Section 216-6.2. Personal Belongings” is added to read as follows: “Any personal belongings found unattended shall be considered to be abandoned and will be subject to removal and disposal.”, and

BE IT FURTHER ORDAINED this amendment to the City Code of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or otherwise printed as the City Manager directs.

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 but was defeated by Council Member Clifford G. Olney III voting nay.

Laid over under the Rules.

STAFF REPORTS

UMR and ProAct performance reports for FY 2021-2022

Reports from both UMR and ProAct summarized the City’s usage and claim status for the past fiscal year. The highlights include the following: Medical claim spending increased by 1.7% from the last year; 96.1% of the medical claims were for in-network service providers, which generated an average discount of 46.9%; and prescription claim spending increased by 16.9% for the last year, which was mostly due to the increase cost of specialty medications.

Council was asked to direct their questions to the Benefits Administrator Christine Parks.

Sales Tax Revenue – October 2022

A report was available for Council to review showing that sales tax revenue was up \$168,839 or 10.06% compared to last October. In comparison to the original budget projection for the month of October, sales tax was up \$135,265 or 7.9%. Year-to-date actual receipts are up \$406,617 or 4.93%, while the year-to-date receipts on a budget basis are up \$241,775 or 2.88%.

Sale of Surplus Hydro-electricity – October 2022

A report was available for Council to review showing that the sale of surplus hydroelectric power on an actual-to-actual basis was down \$307,031 or 58.62% compared to last October. In comparison to the

budget projection for the month, revenue was down \$169,423 or 43.88%. The year-to-date actual revenue is down \$1,134,881 or 53.61%, while the year-to-date revenue on a budget basis is down \$30,044 or 2.97%.

Council Member Olney asked the City Comptroller why there was a decrease, wondering if the plant had been down for a period of time.

Mr. Mill explained that it is solely based on flow issues and Mother Nature.

NDC Housing Program – 214 East Hoard Street

A report from Planning and Community Development Director Michael Lumbis reviewed how the NDC program began as a partnership with Neighbors of Watertown (NOW) and the Development Authority of the North Country (DANC) in 1995 and successfully rehabilitated 11 homes, resulting in an increase in the assessment of those properties by nearly \$300,000. Mentioning that the program was re-established a few years ago, he outlined the Memorandum of Understanding between the City, NOW and DANC and how it works, and he reviewed the status of recent rehabilitation projects. In regard to 214 East Hoard Street, he asked if Council still agrees with rehabilitating this home through the NDC program.

Mayor Smith indicated that he had received complaints from residents in the neighborhood that this property was an eyesore and did not fit in with the character of the street. He wondered if it should be torn down.

Council Member Ruggiero said that she does not agree and that it is a good fit for this program, so she would rather she the project move forward.

Council Member Olney and Council Member Hickey agreed with her.

Property Purchase Offer – 850 Superior Street

An offer was received from Michelle Averell for 850 Superior Street, which was acquired by the City through the tax sale certificate process from Donald Averell in June 2022. The report to Council explained that the amount of the offer is not specified but the tax sale certificate redemption amount owed on the deadline of June 24, 2002, as well as the 2022-23 City tax and the 2022-23 School tax, totals \$5,300.23. This is without adding any additional interest and penalties.

It was pointed out that the City acquired VL Superior Street from Donald Averell in June 2019 also for failure to pay the property taxes. This narrow lot has a portion of the house upon it and the assessed value of that lot is \$1,900.

Council agreed to give Ms. Averell 30 days to pay the total amount due on back taxes and the assessed value of the vacant lot, otherwise it would go to auction.

Jefferson County Wide Transportation Community Input Discussion

Council Member Hickey requested the presentation, which included public input on the routes from the November meeting of the Volunteer Transportation Center Inc. regarding the Jefferson County-Wide Transportation Community Input Discussion, be provided to the public and Council. He said he would discuss this further under his New Business.

Restore NY Application – Factory Square Redevelopment

A report was available for Council to review, stating that the City received a proposal (attached to the report) to redevelop 629 Factory Street and 567 Fairbanks Street by Greenleaf Builders of Rochester into 28 market rate units and 110 units of workforce housing. It was noted that Greenleaf Builders would like to apply for Restore NY Communities funding under the “Special Project” category and that the City may submit one regular project and one special project during this round of funding. The report pointed out that the intent to apply forms are due by November 30, 2022, and advised that a formal resolution is not required in order to submit the intent to apply. Council was asked for direction on how to proceed.

Council concurred with the intent to apply.

NEW BUSINESS

Snowstorm and Cleanup

Mayor Smith mentioned that the City and surrounding areas had recently received a huge amount of heavy, wet snow in a very short period of time. He commended crews for doing a wonderful job considering the situation. He noted that he had spoken with the Governor who had offered assistance by providing additional equipment to help with the main artery roads through the City. He thanked people for their patience, noting this was far from a typical snowstorm. He thanked the DPW, County Emergency Management, State Department of Transportation and Governor Hochul.

Council Member Ruggiero agreed with the Mayor’s comments adding that there had been a travel ban in place and people should not have been out on the roads. She further noted that there were many plowing jobs available.

City Manager Mix pointed out there were not just staffing issues but also illnesses such as COVID and respiratory viruses were also causing problems.

Council Member Olney offered similar comments and thanks to all the crews responsible for cleanup. Later in the meeting, he noted Brian Watson had offered to assist individuals in plowing out their homes.

Recent Meetings and Upcoming Events

Council Member Hickey stated that he attended both the Solar Eclipse meeting and the County-wide Transportation Committee meeting on November 16. He also announced the following upcoming meetings and events: Grand Re-Opening of the Paddock Arcade on November 26, Friends of Thompson Park meeting on December 1, the Stewart’s Ribbon Cutting on December 2, Christmas Parade and Tree Lighting on December 2 and Snowtown Festival on January 13 through January 15.

Jefferson County Wide Transportation Plan DRAFT PLAN

Council Member Hickey advised that on November 15, the Jefferson County Supervisors approved submitting the 5311 Financial application to the New York State Department of Transportation (NYSDOT) and the current scope for transportation includes: Employment, Education, Medical and Food Sources. He indicated there would be four routes within Jefferson County (Alexandria Bay Route, Route 11-Philadelphia Route, Carthage Route and South Jefferson Route) and provided the location of the stops and time duration of each route. He explained that interconnections to St. Lawrence County,

Lewis County and Oswego County transfer sites are in the plan as well as Citibus connections.

Homeless Issue

Council Member Olney thanked members of the community for stepping up over the weekend to assist with the homeless population occupying the Butler Pavilion by donating their goods, time, assistance and abilities. He stressed the new homeless shelter at 138 Main Avenue is open and encouraged people in need to go there.

Eclipse Meeting

Council Member Olney suggested a professional events coordinator might need to be enlisted to assist with all the events planned.

Parade and Tree Lighting/Festival of Trees

Council Member Ruggiero announced that the annual Tree Lighting Ceremony and Holiday Parade would be held on December 2 in front of City Hall. She also informed Council that the Festival of Trees will begin on the Friday after Thanksgiving and continue through to the next weekend.

Toy Drive

Council Member Ruggiero reminded Council that the 28th Annual Toy Drive conducted by Bernier Carr was to be held in the Woolworth Building on December 1. She noted people can bring toys to donate and be able to tour the new office.

Crosswalk on Washington Street in Front of Hospital

Mayor Smith requested that, in light of heavy foot traffic and the recent fatal accident on Washington Street in front of Samaritan Medical Center, a crosswalk be installed for pedestrian safety.

Council offered their support of a crosswalk.

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

Motion was seconded by Council Member Patrick J. Hickey and carried with all present voting in favor thereof.

Council moved into Executive Session at 9:40 p.m.

Council reconvened at 10:24 p.m.

ADJOURNMENT

At the call of the chair, meeting was duly adjourned at 10:24 p.m. by motion of Council Member Patrick J. Hickey, seconded by Mayor Jeffrey M. Smith and carried with all present voting in favor thereof.

Ann M. Saunders
City Clerk