

**CITY COUNCIL MEETING
CITY OF WATERTOWN
February 21, 2023
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
Justin Miller, Interim City Attorney (via teleconference)

City staff present: Matthew Timerman, Scott Weller, Michael Delaney, Michael Lumbis, James Mills

The City Manager presented the following reports to Council:

- Resolution No. 1 - Performance Review of City Manager, Kenneth A. Mix
- Resolution No. 2 - Performance Review of City Clerk, Ann M. Saunders
- Resolution No. 3 - Readopting Fiscal Year 2022-23 General Fund Budget – Fire Department Staffing Increase and Over-hire Approval
- Resolution No. 4 - Readopting Fiscal Year 2022-23 General Fund Budget – Golf Course Operating Budget
- Resolution No. 5 - Approving Changes to Annual City Fees and Charges Schedule
- Resolution No. 6 - Determining Qualification for Exemption from Eminent Domain Procedure Law Article 2 Hearing Requirement and Authorizing Easement Acquisitions for the Pedestrian Signal Improvement Project (PSAP) - NYSDOT PIN: 70PS02
- Resolution No. 7 - Directing the City Manager to Obtain an Electrical Inspection of the Golf Course Clubhouse
- Resolution No. 8 - Directing the City Manager to Prepare a Request for Proposals for Consulting Services Pertaining to Recreational and Hydropower Opportunities on the Black River
- Resolution No. 9 - Appointment of Commissioner of Deeds
- Resolution No. 10 - Finding that Amending the Code of The City of Watertown, Chapter 310, Zoning (Zoning Ordinance Update) And Repealing Chapter 11, Boards and Commission, Article I, Planning Commission Will Not Have a Significant Adverse Impact on the Environment
- Resolution No. 11 - Approving the Sale of Real Property Known as 135 Rutland Street North, Parcel Number 6-08-167.000 to Brownstone Lodge, LLC
- Resolution No. 12 - Approving the Sale of Real Property Known as 427 Mullin Street West, Parcel Number 10-10-147.000 to Travani Construction
- Resolution No. 13 - Approving the Sale of Real Property Known as 244 Rutland Street North, Parcel Numbers 6-10-217.000 and 6-10-217.001 to H2O Town 24/7 Properties, LLC
- Resolution No. 14 - Approving the Sale of Real Property Known as 703 Franklin Street, Parcel Number 12-07-321.000 to Ellis Linfernal
- Resolution No. 15 - Approving the Sale of Real Property Known as 802 Franklin Street, Parcel Number 11-09-123.000 to Scott and Heather Cathey
- Public Hearing for Community Development Block Grant (CDBG) 2023 Annual Action Plan Public Hearing

- Public Hearing - Ordinance Amending the Code of the City of Watertown, Chapter 310, Zoning and Repealing Chapter 11, Boards and Commissions, Article I, Planning Commission
- Fiscal Year 2021-22 Audit Report
- Arena Revenue and Expenditure Report – Fiscal Years 2016-17 through 2022-23 (YTD)
- Sale of Surplus Hydro-electricity – January 2023
- Sales Tax Revenue – January 2023
- FY '22 Safer Grant

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 February 6, 2023 and work session of February 13, 2023, 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 claim was received from Jessica Cushenberry, 1176 Superior Street, seeking reimbursement for damages to her vehicle from an unsecured manhole cover on Superior Street on February 2, 2023.

A claim was received from Northern New York Community Foundation, 131 Washington Street, seeking reimbursement for damages to the front of their building caused by a City bobcat during snow removal on February 2, 2023.

A claim was received from Tammy Kitto, Glen Park, NY, seeking reimbursement of damages to her vehicle after hitting a pothole on West Main Street.

Above claims have been referred to the Board of Audit.

PRESENTATION

Independent Auditors' Report for the Fiscal Year Ending June 30, 2022 - Liz Bush, CPA, Bowers & Company CPAs PLLC

Ms. Bush presented the Independent Auditors' Report for the Fiscal Year Ending June 30, 2022, a copy of which is available on the City's website and filed in the City Clerk's Office. She began by reviewing the Report of the Audit of Financial Statements, which is found on the pages directly following the table of contents. She highlighted that they issued a clean, unmodified opinion of the audited financial statements, which means they are fairly presented, in all material respects in accordance with general accepted accounting principles. She added the review was in accordance with generally accepted accounting standards and government auditing standards. She referred Council to the Management's Discussion and Analysis (pages 5-24), which is prepared by the City Comptroller and provides valuable information for the financial statements and the financial analysis of the City, and she encouraged Council to read through it. Ms. Bush then reviewed in detail the various Audited Financial Statements,

which start on page 26, and highlighted significant notes to the financial statements, beginning on page 39.

The next section of the audit pertained to the Federal Awards Program information and Ms. Bush stated the Government Auditing Standards Report (pages 97-98) indicates there were no significant deficiencies or material weaknesses in internal controls or compliance findings. She indicated the Independent Auditor's Report on Compliance For Each Major Program and Internal Control Over Compliance Required by the Uniform Guidance (page 99) is the Single Audit Report and it shows a clean, unmodified opinion. She mentioned the Schedule of Expenditures of Federal Awards (pages 102-103) and stated the major programs audited were the CDBG Program, the Federal Transit Cluster and Coronavirus State Fiscal Recovery Funds. She reviewed the summary of the Auditor's Results (page 105), noting there were no findings to report under the Single Audit and the City qualifies as a low-risk auditee.

The last section of the report is regarding State Transportation Assistance Programs, and Ms. Bush advised that a clean, unmodified opinion was issued (pages 108-111) and she noted the CHIPs program was audited this year. She reviewed the summary of the Auditor's Results (page 114), stating that there were no findings to report.

Lastly, Ms. Bush reviewed the findings listed in the management letter and the communication report.

PUBLIC HEARING

At 7:20 p.m. Mayor Smith asked the City Clerk to read the notice of Public Hearing concerning the Community Development Block Grant (CDBG) 2023 Annual Action Plan Public Hearing

Mayor Smith declared the hearing open at 7:20 p.m.

Robert Kimball, MD, 927 Ives Street, addressed the chair stating that he supports the use of CDBG funds towards owner-occupied rehabilitation.

Mayor Smith declared the hearing closed at 7:21 p.m.

At 7:21 p.m. Mayor Smith asked the City Clerk to read the notice of Public Hearing concerning amending the Code of the City of Watertown, Chapter 310, Zoning (Zoning Ordinance Update)

Mayor Smith declared the hearing open at 7:21 p.m.

Ryan Henry-Wilkinson, 520 Holcomb Street, addressed the chair stating that he is a member of the Zoning Re-write Committee and that he is in support of the updated Zoning Ordinance. He addressed comments made stating that the process was rushed by saying this has been worked on for years and it has been a transparent process. Regarding concerns of duplexes in the residential zone, he stated that duplexes already exist in these areas.

Bill Bonner, commented that the zoning change is a good idea but he has concerns with the stipulation that accessory dwelling units must be on owner-occupied property. He stated that he owns properties

with large lots that could accommodate an accessory dwelling unit but he does not live at the same property.

Bill Dermady, 118 Seymour Street, asked specific questions about the proposed zoning ordinance.

Planning and Community Development Director Michael Lumbis addressed each of Mr. Dermady's questions and explained what is allowed in the residential zone.

Mayor Smith replied to his questions regarding the abolishment of the Planning Board and creation of the Planning Commission and their appointment.

Mr. Lumbis explained the authority of the Planning Commission and that the ordinance was repealing Chapter 11 because it is outdated and either addressed within the proposed zoning ordinance or under State law.

Venkat Chebolu, 325 Thompson Boulevard, expressed his opposition to duplexes being allowed in the residential zone and asked whether duplexes would be allowed in the block of Thompson Boulevard in which he lives.

Lin Fields, 302 Gayle Street, noted that she is a member of the Zoning Re-write Committee and explained their intent was to bring the zoning ordinance up-to-date. She discussed the departmental review process and encouraged Council to pass this ordinance, stating it will benefit the City of Watertown into the future.

Hartley Bonisteel-Schweitzer, 131 Paddock Street, stated she was on the Zoning Re-write Committee and discussed the benefits of the new zoning ordinance and how it relates to the Comprehensive Plan that was adopted a few years ago.

Mayor Smith declared the hearing closed at 7:39 p.m.

PRIVILEGE OF THE FLOOR

Tammy Higby, 515 Olive Street, suggested screening applicants for substance abuse prior to receiving public assistance. She stated that if someone does not pass the testing they should be referred to get help from rehab. She also suggested the City buy vacant buildings to provide housing.

Jason Traynor, 424 Arsenal Street, compared the attendance numbers for Watertown Golf Club and the Zoo and provided ideas for their uses.

Jonathan Phillips, 735 Mill Street, complained about the condition of the City streets, stating there are many potholes that need to be repaired. He also said the crow issue needs to be addressed because they are making a mess on the Riverwalk and Black River Parkway.

Michael Roberts, 631 Coffeen Street, stated the cost of apartment rentals keeps increasing and the City is in need of affordable housing. He also expressed concern with people damaging rental properties and the Police Department is not helping.

Scott Hess, indicated that he has been looking for months for cheaper housing and stressed the City needs more affordable housing.

Brian Watson, Flower Street, stated that the City needs to find a solution to affordable housing and that many people want to invest into units, but there is no control to the damages being done by renters.

Bill Bonner, commented that he asked Council for an update on his Police investigation regarding damages to his rental property.

In response to Mayor Smith's inquiry, Mr. Mix said that it is still an open investigation, so the Police are not comfortable with it being discussed in open session. He said it is a topic for tonight's executive session.

Mr. Bonner stated he feels the Police are not acting fast enough to arrest the individual responsible for the damages, especially since she admitted to it. He stressed that it has been eight months since the incident happened and he has had difficulty with an insurance claim since the police report did not contain a lot of information. He suggested that there is not equal treatment by the Police Department between small landlords and larger landlords.

Ben Shoen, Academy Street, questioned whether the issue about property damage is at the State level for not allowing for prosecution, or at the local level of the Police not doing enforcement. Regarding the request for more firefighters to help with overtime, he asked if the issue with overtime is caused by minimal manning of short-term sick days because the increase in firefighters will not help overtime if it is from people calling in. He reported that he has heard complaints about parking enforcement downtown and homeless people in the vacant building on Court Street. He asked if New Business could be limited to topics that affect the City and not be used for Council Members to pat themselves on the back or fight with other Council Members. Lastly, he thanked the staff from DPW, Water Department and Parks and Recreation Department that worked through the recent storms, which included holidays.

Reg Schweitzer, 131 Paddock Street, Executive Director of Neighbors of Watertown, noted that property damage from renters is happening in the larger developments as well and said they have lost the ability to hold anyone responsible. He said more people would invest in the area if the renters were accountable for their actions.

RESOLUTIONS

Resolution No. 1 - Performance Review of City Manager, Kenneth A. Mix

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the Charter of the City of Watertown under Title III, Section 20-6 requires a performance review of the City Manager annually with findings adopted by March 1 each year, and

WHEREAS it was determined that the City Manager has demonstrated his management and communication style, and has become an effective leader of the City's workforce, and

WHEREAS the City Manager has been effective at maintaining the financial strength of the City, managing the myriad of tasks and responsibilities that fall under his purview,

NOW THEREFORE BE IT RESOLVED that following an assessment and review of the City Manager's duties and performance, the City Council finds that the City Manager, Kenneth A. Mix, has performed consistent with expectations and did an excellent job in the year.

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

Resolution No. 2 - Performance Review of City Clerk, Ann M. Saunders

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the Charter of the City of Watertown under Title III, Section 20-8 requires a performance review of the City Clerk annually with findings adopted by March 1 each year, and

WHEREAS City Council determined the City Clerk has done an excellent job of carrying out the duties of her office and serving the public, and

WHEREAS the City Clerk has effectively led her staff in a professional and productive way, and

WHEREAS the City Clerk continues to make her office more efficient,

NOW THEREFORE BE IT RESOLVED that following an assessment and review of the City Clerk's duties and performance, the City Council finds that the City Clerk, Ann M. Saunders, has performed consistent with expectations and did an excellent job in the year.

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

Resolution No. 3 - Readopting Fiscal Year 2022-23 General Fund Budget – Fire Department Staffing Increase and Over-hire Approval

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 the Adopted Fiscal Year 2022-23 budget included a stipulation that if the SAFER grant was not awarded, which it was not, the Administrative Captain would be demoted back to a Firefighter, and

WHEREAS the Fire Chief has requested the City maintain the Administrative Captain position, and

WHEREAS the Fire Chief has requested the City hire additional firefighters in an attempt to lower the overtime costs of the department which are anticipated to result in a net savings as well lessen the overtime burden on the current staff, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby re-adopts the General Fund Budget for Fiscal Year 2022-23 to establish the number of firefighter positions at 44 and allow for a temporary over-hire of an additional two firefighters to account for the next two anticipated retirements, and

BE IT FURTHER RESOLVED that the City Council of the City of Watertown hereby re-adopts the General Fund Budget for Fiscal Year 2022-23 to add the two permanent fighter positions and the additional temporary over-hire of two firefighters, and

BE IT FURTHER RESOLVED that the City Council of the City of Watertown hereby re-adopts the General Fund Budget for Fiscal Year 2022-23 to keep the position of Administrative Captain and establish the number of Captains to be 22, and

BE IT FURTHER RESOLVED that the City Council of the City of Watertown hereby makes the following adjustments in the re-adopted General Fund Budget:

GENERAL FUND

A.0000.0909	Fund Balance	<u>\$ 146,035</u>
Expenditures:		
A.3410.0130	Fire - Wages	\$ 71,058
A.3410.0465	Fire – Equipment < \$5,000 (turnout gear)	\$ 25,000
A.3410.0820	Fire – Retirement	\$ 14,354
A.3410.0830	Fire – Social Security	\$ 5,436
A.3410.0850	Fire – Health Insurance	<u>\$ 30,187</u>
Total Expenditures		<u>\$ 146,035</u>

Seconded by Council Member Sarah V.C. Pierce and carried with all voting yea except for Council Member Sarah V.C. Pierce and Mayor Jeffrey M. Smith voting nay.

Resolution No. 4 - Readopting Fiscal Year 2022-23 General Fund Budget – Golf Course Operating Budget

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 on January 27, 2023 the City purchased the assets of Watertown Golf Club, Inc. and 1 Thompson Park, LLC in the amount of \$3,400,000, and

WHEREAS City Council needs to re-adopt the Fiscal Year 2022-23 General Fund budget to include the estimated revenues and expenditures related to operating the golf course through the end of the fiscal year,

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:

Revenues:		
A.0000.2027	Golf Course Fees	\$164,150
A.0000.2410	Rental of Real property	<u>(10,017)</u>
Total Revenues		\$154,133
Appropriated Fund Balance		<u>150,772</u>
Total		<u>\$304,905</u>

Expenditures:		
A.7190.0110	Salaries	\$ 18,430
A.7190.0130	Wages	3,250
A.7190.0140	Temporary	90,000
A.7190.0150	Overtime	15,000
A.7190.0250	Equipment	15,000
A.7190.0410	Utilities	12,000
A.7190.0430	Contracted Services	32,800
A.7190.0455	Vehicles and Equipment Maintenance	28,000
A.7190.0460	Materials and Supplies	61,250
A.7190.0465	Equipment < \$5,000	8,000
A.7190.0810	Retirement	10,650
A.7190.0830	Social Security	9,700
A.7190.0850	Health Insurance	825
Total Expenditures		<u>\$304,905</u>

Seconded by Council Member Patrick J. Hickey

Prior to the vote on the foregoing resolution, Mr. Mix responded to Council Member Pierce's question about the concession's RFP by saying that there have been no responses yet, but sometimes they come in right before the deadline. He explained the number of employees, their job functions and whether they would be full-time or seasonal in response to Mayor Smith's inquiry. He indicated that no one has been hired yet.

Council Member Olney noted that the salary listed in the budget could change based on who is hired and their qualifications. He asked how the revenue amount was determined.

Parks and Recreation Superintendent Scott Weller advised that it was the best estimate based on season passes and green fees and confirmed he used the proposed fee schedule, which was created by evaluating last year's fees, other municipal courses' fees and other surrounding area private courses' fees.

Council Member Olney stated the City can be pretty sure of the expenses, but do not know the exact revenue.

Mr. Weller confirmed that the anticipated open date would be May 1st and clarified that he has taken calls about tournaments, but the more information he has to provide the public, the more likely they are to book. He also replied to questions about the equipment stating that it is starting to get repaired and readied.

Council Member Olney talked about the risk of tournaments canceling due to the uncertainty of the opening and operations of the course and concessions. He wondered if the City could run the concessions since it runs a successful concession stand at the arena.

Mr. Mix explained that the arena concession is successful because it is run for limited amounts of time during largely attended events and it has a limited menu of items, such as nachos and chicken fingers.

He added that the golf course patrons and tournaments would want a more expanded menu. He also said that every municipal golf course they have contacted does not run the concessions.

Council Member Olney questioned whether the City could sell alcohol or the course could have a BYOB (bring your own beer) policy.

Mr. Mix explained the concerns with liability and with employees selling alcohol, especially if they are underage themselves. He also advised that in order for someone to bring alcohol into Thompson Park they need to obtain a permit first, otherwise Council would need to change the ordinance that is currently in place.

There was further discussion of the types of alcohol to be allowed and whether the availability of alcohol would affect the usage of the golf course, especially in terms of tournaments.

Mayor Smith reviewed the projected revenue and confirmed with Mr. Weller that the estimated amount was based on attendance numbers given by the previous owner. He questioned why the projection did not reflect a profit since previous discussions with the prior owner indicated that the business was profitable. He also clarified with Mr. Weller, for the public's benefit, that there are no tournaments currently booked, so, in response to the comments that tournaments are canceling, there were none booked yet to cancel.

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

Resolution No. 5 - Approving Changes to Annual City Fees and Charges Schedule

Introduced by Council Member Lisa A. Ruggiero

WHEREAS City Council established a City Fees and Charges Schedule for the City of Watertown, as authorized by Local Law No. 2 of 2016, and

WHEREAS the Fiscal Year 2022-2023 City Fees and Charges Schedule was adopted by City Council on June 6, 2022 when the Fiscal Year 2022-2023 Budget was adopted, and

WHEREAS the City of Watertown now operates an eighteen-hole golf course, and

WHEREAS the Parks and Recreation Department has proposed changes to this schedule to include the golf course fees,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the below changes to the City Fees and Charges Schedule:

Thompson Park Golf Course	City Resident	Non-City Resident
Season Passes		
18 & Under	\$ 100	\$ 125

22 & Under	\$	250	\$	300
Adult	\$	725	\$	800
Senior (62)	\$	575	\$	650
Senior Couple (62)	\$	800	\$	875
Family (2 Adults)	\$	900	\$	1,000
<i>Additional Student</i>	\$	60	\$	70
Greens Fees				
9-Holes	\$	15	\$	17
18-Holes	\$	22	\$	25
Fall Rates (Effective September 15th)				
9-Holes	\$	9	\$	11
18-Holes	\$	13	\$	15
Carts (Per Golfer)				
9-Holes	\$	10	\$	11
18-Holes	\$	15	\$	16
League Fees <i>(No league fee for season pass holder. Cart fees apply)</i>				
Season - 9 Holes	\$	225	\$	250
Cart Pass	\$	200	\$	225
Tournament Fees				
Per Entry	\$	40	\$	40
Driving Range				
Small	\$	5	\$	5
Large	\$	8	\$	8
Club Rentals				
Per Outing	\$	5	\$	10

ID required in order to receive resident rate.

Seconded by Council Member Patrick J. Hickey

Prior to the vote on the foregoing resolution, Mr. Mix explained to Council Member Pierce's question that the advisory committee was headed up by Jeff Kimball and he consulted with three other people.

Council Member Pierce mentioned that someone asked her if there would be a "lease a sit" option for carts.

Mr. Mix indicated that the committee recommended against a season pass for carts.

Council Member Olney suggested the issuing of coupons for the golf fees.

Mr. Mix explained that once Council adopts the fee schedule, they cannot offer discounted rates without adopting it as part of a new fee schedule. He indicated that there is the option of a season pass, which has a discount within it.

Council Member Olney suggested selling a coupon book with 10 games of golf within a month. He stressed there needs to be flexibility to implement marketing strategies and offer discounts for different fee schedules.

Mr. Mix reiterated that Council would need to pass a resolution to readopt the fee schedule for changes.

Council Member Ruggiero advised that Council needs to pass this fee schedule so that staff can start marketing. She stressed that it is time to move forward, and it is important to get things started for the season.

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

Resolution No. 6 - Determining Qualification for Exemption from Eminent Domain Procedure Law Article 2 Hearing Requirement and Authorizing Easement Acquisitions for the Pedestrian Signal Improvement Project (PSAP) - NYSDOT PIN: 70PS02

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the Engineering Department of the City of Watertown (“City”) has identified the following intersections within the City as being in need of pedestrian safety improvements: Arsenal Street (Route 3) and Sherman Street; Coffeen Street (Route 12F) and Gaffney Drive; Mill Street (Route 11) and East-West Main Street (Route 12E); Washington Street (Route 11) and Clinton-Sterling Street; Washington Street (Route 11) and Academy-Mullin Street; and Washington Street (Route 11): Brook Drive at Watertown High School); and Coffeen Street (Route 12F) and Hawk Street, and

WHEREAS the pedestrian improvements that are needed include the construction of Americans with Disabilities Act (“ADA”) compliant pedestrian sidewalks and curb ramps, new pedestrian push buttons and pedestrian signal poles with up-to-date pedestrian signal heads, and

WHEREAS the City is responsible for the maintenance of the aforementioned intersections and sidewalks, and

WHEREAS the City is proposing to: install and/or upgrade pedestrian signals at the aforementioned intersections, with the work including new ADA compliant accessible pedestrian signals with countdown timers along with new ADA compliant pushbuttons; construct ADA compliant handicap ramps, where needed,; install new poles, pullboxes, conduit, wiring and controllers, where necessary, and install crosswalk pavement markings, consistent with the City’s Pedestrian Safety Action Plan (“PSAP”) application (“Project”), and

WHEREAS the purpose of the proposed work at the aforementioned intersections is to make pedestrian safety improvements consistent with the New York State Pedestrian Safety Action Plan and to upgrade curb ramps and pedestrian signals to meet ADA standards, and

WHEREAS it will be necessary for the City to acquire permanent easement interests from third parties for the purpose of accomplishing the aforementioned pedestrian safety improvements, and

WHEREAS two (2) of the tax map parcels in which the City must acquire permanent easement interests in order to accomplish the Project are Tax Map Parcel No. 11-03-213 (“Map 7 Parcel”) and Tax Map Parcel No. 7-09-108 (“Map 16 Parcel”), both of which are situated in the City of Watertown; and

WHEREAS the location and size of the proposed permanent easement interest area to be acquired in the Map 7 Parcel is an approximately 203 square feet rectangular shaped area at the southeast corner of the intersection of Washington Street and Academy-Mullin Street; and

WHEREAS the specific purpose for acquiring the permanent easement interest on, over and through a portion of the Map 7 Parcel is to construct and maintain a portion of the sidewalk; and

WHEREAS the location and size of the proposed permanent easement area to be acquired in the Map 16 Parcel is an approximately 51 square feet, triangular shaped area at the southwest corner of the intersection of Coffeen Street and Hawk Street, and

WHEREAS the specific purpose for acquiring the permanent easement interest on, over and through a portion of the Map 16 Parcel is to construct and maintain a portion of the sidewalk, and

WHEREAS fee title to the Map 7 Parcel currently is vested in the Watertown Ecclesiastical Society, which acquired title by means of a series of deeds, and

WHEREAS fee title to the Map 16 Parcel currently is vested in Frank Giordanelli, the Estate of Joseph Giordanelli and the Estate of Louise G. Devine, who acquired title by means of a series of deeds, and

WHEREAS in accordance with the provisions of Article 3 of the New York Eminent Domain Procedure Law (“EDPL”) and the Uninform Relocation Assistance and Real Property Assistance Act of 1973 and its implementing regulations, the City has caused to be appraised the permanent easement interests that it seeks to acquire on, over and through portions of the Map 7 Parcel and the Map 16 Parcel, has had such appraisals reviewed by an independent appraiser, has established the highest approved appraisal amounts as the amounts that it believes represents just compensation to be paid for the acquisition of such permanent easement interests, and has communicated to the owners of the Map 7 Parcel and the Map 16 Parcel written offers to purchase such permanent easement interests for one hundred percentum of the just compensation amounts so established, and

WHEREAS the respective owners of the Map 7 Parcel and the Map 16 Parcel have not accepted the City’s offer to purchase the aforementioned permanent easement interests that are needed to accomplish the Project, as a consequence of which it is necessary to acquire such permanent easement interests by means of EDPL Article 4 acquisition proceedings, and

WHEREAS EDPL Article 2 requires, as a condition precedent to acquiring title by means of an EDPL Article 4 acquisition proceeding, that the City conduct a public hearing to inform the public and to

review the public use to be served by the proposed Project and the impact on the environment and residents of the locality where the proposed Project will be constructed unless such Project is exempt from the EDPL Article 2 hearing requirements in accordance with EDPL §206, and

WHEREAS EDPL §206 (A) provides that the City will be exempt from compliance with the provisions of Article 2 when, pursuant to other state, federal, or local law or regulation it considers and submits factors similar to those enumerated in EDPL §204 (B) to a state, federal, or local government agency, board, or commission before proceeding with the acquisition and obtains a license, a permit, a certificate of public convenience of necessity, or other similar approval from such agency, board, or commission, and

WHEREAS the factors enumerated in subdivision (B) of EDPL §204 are: (1) the public use, benefit or purpose to be served by the proposed public Project; (2) the approximate location for the proposed public Project and the reasons for the selection of that location; (3) the general effect of the proposed Project on the environment and residents of the locality; and (4) such other factors as it considers relevant, and

WHEREAS the proposed Project is a Locally Administered Federal Aid Transportation Project administered by the City, and

WHEREAS the proposed Project is being progressed by the City, with oversight by the New York State Department of Transportation (“NYSDOT”), in accordance with the requirements of the NYSDOT “Procedures for Locally Administered Federal Aid Projects” manual (“LPM”), the NYSDOT “Project Development Manual” (“PDM”) and other applicable NYSDOT regulations and policies, and

WHEREAS in order to progress to the Project through scoping, design and acquisition phases, as established by NYSDOT, it was necessary for the City to obtain NYSDOT and Federal Highway Administration (“FHWA”) approval that the City has satisfied the requirements of FHWA and NYSDOT, as set forth in the LPM, PDM and other applicable statutes, regulations and policies, and

WHEREAS in order to obtain FHWA and NYSDOT approval of the Project, it was necessary for the City to submit to NYSDOT and FHWA a document known as an Initial Project Proposal/Final Design Report (“Final Design Report”) addressing, among other things, the location and details of the Project, as well as information and documentation demonstrating compliance with the provisions of the National Environmental Policy Act of 1969 (“NEPA”) and the New York State Environmental Quality Review Act (“SEQR”), and

WHEREAS the City, in conjunction with its consultant, completed the Final Design Report for the Project and submitted same to NYSDOT for its review and approval, and

WHEREAS the NYSDOT and FHWA completed their reviews of the Final Design Report, and FHWA has provided project approval to the City and issued design approval and an Authorization to Proceed with ROW Acquisitions, and

WHEREAS in accordance with the provisions of 23 C.F.R. 771.118(c), and as required by the PDM, the City was required to undertake and complete an environmental review under NEPA, and

WHEREAS in satisfaction of its duties to conduct an environmental review under NEPA, the City prepared a Federal Environmental Approval Sheet, and

WHEREAS the proposed public Project is being progressed as a NEPA Class II action (Categorical Exclusion) in accordance with 23 CFR 771.117(c), because the action meets the description in 23 CFR 771.117(c)(23) described as Federally-funded projects that receive less than \$5,000,000, or with total estimated cost of not more than \$30,000,000 and Federal Funds comprising less than 15% of total estimated project cost, and

WHEREAS NYSDOT has concurred with this classification, all of which is set forth in the Final Design Report, and

WHEREAS the City is designated as the lead agency for purposes of the New York State Environmental Quality Review Act (hereinafter "SEQR"), and

WHEREAS the City classified the proposed Project as a Type II action per NYCRR Part 617.5(c)(2) (replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site,) and 617.5(c)(22) (installation of traffic control devices on existing streets, roads and highways) and has completed the SEQR review process, and

WHEREAS the City has considered the general effect of the proposed Project on the residents of the locality in which the proposed Project is to be undertaken and has included such analysis in the Final Design Report, and

WHEREAS in the course of satisfying the requirements of the LPM and PDM, the City has considered and submitted to NYSDOT factors similar to those enumerated in EDPL §204(B), and NYSDOT has issued its approval of the Project, and

WHEREAS the Project and the location, nature, duration and extent of the acquisition of the permanent easement interests in and to portions of the Map 7 Parcel and the Map 16 Parcel are de minimis in nature so that the public interest will not be prejudiced by the construction of the Project,

NOW THEREFORE BE IT RESOLVED that the City of Watertown has considered all relevant information pertaining to the proposed Project and has determined that the Project serves a legitimate public use, purpose and benefit, and that the project development process implemented by the City, as required by Federal and State statutes, regulations and policies, as well as the de minimis nature of the proposed acquisitions of permanent easement interests on, over and through small portions of Map 7 Parcel and Map 16 Parcel in the City of Watertown, qualifies the City and the Project for exemptions from the hearing requirements of EDPL Article 2, pursuant to EDPL Section 206 (A) and (D), and

BE IT FURTHER RESOLVED the City of Watertown hereby authorizes the Mayor or his designee to take such steps, perform such acts and execute such documents as are necessary for the City to acquire the previously identified permanent easement interests on, over and through portions of the Map 7 Parcel and the Map 16 Parcel in the City of Watertown, New York, and to acquire all other real property interests that may be necessary in order to accomplish for the Project, including, but not limited to, acquisitions in accordance with any other provision of law, regulation or contract.

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

Resolution No. 7 - Directing the City Manager to Obtain an Electrical Inspection of the Golf Course Clubhouse

Introduced by Council Member Sarah V.C. Pierce

WHEREAS potential electrical problems have been identified in the golf course clubhouse, and

WHEREAS the City Council wishes to have the electrical system inspected by a qualified electrical inspector to determine what needs to be repaired,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby directs the City Manager to obtain an electrical inspection of the electrical system in golf course clubhouse by a qualified electrical inspector.

Seconded by Mayor Jeffrey M. Smith

Prior to the vote on the foregoing resolution, Mr. Mix responded to Council Member Olney's questions about the process of selecting an electrical inspector and the timeframe.

Council Member Olney questioned why City Engineer Michael Delaney agreed with the Mayor about obtaining an electrical inspector, and he wondered why the City would do this when Mr. Lundy is willing to do the work and there is \$100,000 in contingency for any work that is needed. He asked if the City would need to pay for the electrical inspector.

Mr. Delaney explained that an electrical inspector is needed in order to have a proper evaluation and complete transparency of what is needed for safety purposes.

Mayor Smith argued that the City needs to identify the problems before they can be fixed properly by Mr. Lundy and he questioned whether the asset purchase agreement listed the electrical issues as something covered by the \$100,000 that was held back.

Mr. Mix confirmed that the electrical was not mentioned in the asset purchase agreement and listed the items that were.

Attorney Miller confirmed for Mayor Smith that, under the asset purchase agreement, Mr. Lundy is not obligated to fix the electrical issues, and if he completed the items listed in the agreement and not the electrical, then he legally would still receive the \$100,000.

Council Member Olney stressed that Mr. Lundy is a man of his word and he said he would do it but does not have access to the property now. He asked why the access agreement was not part of the asset purchase agreement.

Mr. Mix explained the reason for and details of the access agreement now that the City owns the property and advised that it has been sent to Mr. Lundy, but he has not signed it.

Council Member Olney provided his reasons for not voting in favor of this resolution and said he sees this as another delay. He thinks Mr. Lundy should be able to perform the work and then the City should have it inspected upon completion.

Council Member Ruggiero agreed that Mr. Lundy intends to do the electrical work and advised that he is willing to pay for an inspection afterwards.

Mayor Smith pointed out that the golf course is now City-owned property, which means certain rules need to be followed. He explained that with City-owned property, work must be done at prevailing wages and the procurement policy must be followed based on the dollar amount of the work needed.

Mr. Mix agreed with the need for prevailing wages and explained that under the procurement policy, if the work is higher than the threshold of \$35,000, sealed bids must be obtained.

Council Member Pierce remarked that it is important to identify any and all problems in order to give the City an opportunity to rectify them. She added that rules are in place to be followed.

Council Member Ruggiero mentioned that this has become more complicated than it needs to be and the previous discussions with Mr. Lundy agreeing to do this are good enough for her.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea except for Council Member Clifford G. Olney III and Council Member Lisa A. Ruggiero voting nay.

Resolution No. 8 - Directing the City Manager to Prepare a Request for Proposals for Consulting Services Pertaining to Recreational and Hydropower Opportunities on the Black River

Introduced by Council Member Lisa A. Ruggiero

WHEREAS The City of Watertown is presented with a great advantage and opportunity as it nears the end of the lucrative Hydro Power Contract (2030) and the FERC License itself, in the year 2035, and

WHEREAS the City Council wishes to hire a consultant for a period of one year to:

- Guide and assist in the successful relicensing of the Marble Island Hydroelectric facility, FERC #P-2442, by the City of Watertown,
- Guide with suggestions of engineering and design, to increase hydropower capacity for the Marble Island Facility,
- Guide possible alternative sources of Hydroelectric Generation on our Black River and elsewhere,
- Guide the City's effort to redevelop the entire Black River Corridor, within the City of Watertown's boundaries,

- Guide the City's integration of various individual Black River Recreational Initiatives, from outside City boundaries, and the surrounding communities, into the City's LWRP (Local Waterfront Revitalization Plan), including successful trail systems and open space parklands from Dexter, N.Y. through to Lyons Falls, which can be connected in a cohesive manner that promotes freedom of travel to the various recreational venues and commercial opportunities, while bringing in additional tourism revenue, and
- Guide the future potential development of all that the Black River affords the residents of the City of Watertown – fishing ladders, kayak put-ins, fishing access to the river, and hydropower development,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown directs the City Manager to issue a Request for Proposals for the said services listed above.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Council Member Olney explained his reasons for asking for this resolution, saying it is similar to what Mayor Smith did with Skip Trimble and Jeff Wood for the Hydro Committee. Noting the FERC license will need to be renewed and someone needs to help identify more opportunities for hydro and work with the LWRP, he stressed this is a proactive approach.

Mayor Smith clarified that he did not choose Mr. Trimble and Mr. Wood, noting they were staff's recommendations based on their qualifications. He pointed out that the FERC license does not expire until 2035 and work on the renewal does not need to be started before 2030. He said he would like clarification on what this individual would be paid and what the deliverables would be. He noted there would be duplication with the consultant already working on the LWRP and the current budget line item to look at hydro capacity.

There was a lengthy discussion between Council Member Olney and Mayor Smith debating the need for each bullet point within the resolution.

Mr. Mix agreed that it is a little early to be looking into renewing the FERC license.

Council Member Ruggiero suggested tabling the resolution in order to redefine it.

Motion was made by Council Member Patrick J. Hickey to table the foregoing resolution. Motion was seconded by Council Member Lisa A. Ruggiero and carried with all voting yea except for Council Member Clifford G. Olney III voting nay

Resolution No. 9 - 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, 2024.

City Employee - Police Department

Elizabeth M. Lewis

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

Resolution No. 10 - Finding that Amending the Code of The City of Watertown, Chapter 310, Zoning (Zoning Ordinance Update) And Repealing Chapter 11, Boards and Commission, Article I, Planning Commission Will Not Have a Significant Adverse Impact on the Environment

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City of Watertown's current Zoning Ordinance was adopted in 1959 and is extremely outdated, and

WHEREAS the City Council has proposed amending Chapter 310, Zoning, of the Code of the City of Watertown and repealing Chapter 11, Boards and Commissions, Article I, Planning Commission, and

WHEREAS the amendment of the Zoning Ordinance is a Type I Action as defined by the State Environmental Quality Review Act (SEQRA) and 6 NYCRR Part 617, and

WHEREAS the City Council must evaluate the environmental impact of all Type I Actions that it proposes to directly undertake, and

WHEREAS the City Council has previously declared its intent to act as Lead Agency in the environmental review of the proposed amendment to Chapter 310, Zoning, and

WHEREAS there are no other involved agencies for SEQRA review as that term is defined in 6 NYCRR Part 617, and

WHEREAS to aid the City Council in its determination as to whether the proposed amendment to the Zoning Ordinance will have a significant adverse impact on the environment, Part 1 of a Full Environmental Assessment Form has been prepared by city staff, a copy of which is attached and made part of this Resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that:

1. Based upon its examination of the Full Environmental Assessment Form and comparing the proposed action with the criteria set forth in 6 NYCRR Part 617, no significant adverse impact to the environment is known, and the adoption of the amendment to Chapter 310, Zoning and repealing Chapter 11, Boards and Commissions, Article I,

Planning Commission will not have a significant adverse impact on the environment.

2. The Mayor of the City of Watertown is authorized and directed to execute Part 3 of the Environmental Assessment Form to the effect that the City Council is issuing a Negative Declaration under SEQRA.

3. This Resolution shall take effect immediately.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Council reviewed Part II of the Full Environmental Assessment Form.

Council Member Hickey noted that he was a member of the Zoning Re-write Committee.

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

Resolution No. 11 - Approving the Sale of Real Property Known as 135 Rutland Street North, Parcel Number 6-08-167.000 to Brownstone Lodge, LLC

Introduced by Council Member Lisa A. Ruggiero

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 135 Rutland Street North also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel Number 6-08-167.000, and

WHEREAS title to said lands have since been retained by the City of Watertown as acquired at said tax sale, which titles were retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real properties have never been assigned by the Council for a public use, and

WHEREAS the City Council deems the property to be excess and not required for any City purpose, and

WHEREAS the City developed a Request for Proposal (RFP) through its Vacant Homes Redevelopment Initiative for the rehabilitation of this property, and

WHEREAS the evaluation of proposals submitted through this RFP process included the consideration of the experience of the developer/contractor, the proposed work scope and investment, the proposed purchase price, the proposed tenancy, the financial capacity of the developer/contractor and the proposed rehabilitation timeline, and

WHEREAS after review of the proposals submitted for this property, Staff is recommending that this property be sold to Brownstone Lodge, LLC, and

WHEREAS Brownstone Lodge, LLC has offered to purchase this parcel for \$11,550 and invest additional funding in the property to rehabilitate the home including improvements such as a new roof,

siding repair and painting, new windows and doors, new furnaces, new electrical, plumbing repairs, new kitchens and bathrooms, new drywall and insulation, new flooring and interior painting, and

WHEREAS the City Council desires to ensure that property such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed,

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 16 adopted by the Council on June 6, 1977, that the offer of \$11,550 submitted by Brownstone Lodge, LLC, for the purchase of Parcel Number 6-08-167.000, for the purposes of a housing rehabilitation project as described above is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey M. Smith be, and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Brownstone Lodge, LLC, upon receipt of the above-mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that the property sold must be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Mayor Smith noted the process for selling this property and the properties listed in the next four resolutions was through an RFP instead of an public auction. He wondered what would happen if the buyer did not follow through with their proposal.

Mr. Mix indicated there was a discussion regarding putting a stipulation in place if the work was not completed as proposed but, in the end, the City could not really take the property back without suing for it. He explained that there is a risk but, if the work is not completed, the developer would not be chosen again for other RFPs.

Mr. Lumbis added that one of the requirements for the RFP was to submit examples of prior rehab projects and he also stated that the Code Enforcement Office staff is familiar with the developer and whether they do quality work.

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

Resolution No. 12 - Approving the Sale of Real Property Known as 427 Mullin Street West, Parcel Number 10-10-147.000 to Travani Construction

Introduced by Council Member Lisa A. Ruggiero

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 427 Mullin Street West also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel Number 10-10-147.000, and

WHEREAS title to said lands have since been retained by the City of Watertown as acquired at said tax sale, which titles were retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real properties have never been assigned by the Council for a public use, and

WHEREAS the City Council deems the property to be excess and not required for any City purpose, and

WHEREAS the City developed a Request for Proposal (RFP) through its Vacant Homes Redevelopment Initiative for the rehabilitation of this property, and

WHEREAS the evaluation of proposals submitted through this RFP process included the consideration of the experience of the developer/contractor, the proposed work scope and investment, the proposed purchase price, the proposed tenancy, the financial capacity of the developer/contractor and the proposed rehabilitation timeline, and

WHEREAS after review of the proposals submitted for this property, Staff is recommending that this property be sold to Travani Construction, and

WHEREAS Travani Construction has offered to purchase this parcel for \$7,823.46 and invest additional funding in the property to rehabilitate the home including improvements such as a new roof, window repair and replacement, remodeling of the kitchen and bathroom, new flooring, interior paint and new mechanical systems such as new furnace and hot water heater, and

WHEREAS the City Council desires to ensure that property such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed,

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 16 adopted by the Council on June 6, 1977, that the offer of \$7,823.46 submitted by Travani Construction, for the purchase of Parcel Number 10-10-147.000, for the purposes of a housing rehabilitation project as described above is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey M. Smith be, and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Travani Construction, upon receipt of the above-mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that the

property sold must be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed.

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

Resolution No. 13 - Approving the Sale of Real Property Known as 244 Rutland Street North, Parcel Numbers 6-10-217.000 and 6-10-217.001 to H2O Town 24/7 Properties, LLC

Introduced by Council Member Lisa A. Ruggiero

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 244 Rutland Street North also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel Numbers 6-10-217.000 and 6-10-217.001, and

WHEREAS title to said lands have since been retained by the City of Watertown as acquired at said tax sale, which titles were retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real properties have never been assigned by the Council for a public use, and

WHEREAS the City Council deems the property to be excess and not required for any City purpose, and

WHEREAS the City developed a Request for Proposal (RFP) through its Vacant Homes Redevelopment Initiative for the rehabilitation of this property, and

WHEREAS the evaluation of proposals submitted through this RFP process included the consideration of the experience of the developer/contractor, the proposed work scope and investment, the proposed purchase price, the proposed tenancy, the financial capacity of the developer/contractor and the proposed rehabilitation timeline, and

WHEREAS after review of the proposals submitted for this property, Staff is recommending that this property be sold to H2O Town 24/7 Properties, LLC, and

WHEREAS H2O Town 24/7 Properties, LLC has offered to purchase this parcel for \$5,000.00 and invest additional funding in the property to rehabilitate the home including improvements such as remodeling of the kitchen and bathrooms, new flooring, interior paint, window repair, replacement of the furnace and water heater and repair of water damage, and

WHEREAS the City Council desires to ensure that properties such as these properties be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed,

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 16 adopted by the Council on June 6, 1977, that the offer of \$5,000 submitted by H2O Town

24/7 Properties, LLC, for the purchase of Parcel Numbers 6-10-217.000 and 6-10-217.001, for the purposes of a housing rehabilitation project as described above is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey M. Smith be, and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real properties to H2O Town 24/7 Properties, LLC, upon receipt of the above-mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that the property sold must be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed.

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

Resolution No. 14 - Approving the Sale of Real Property Known as 703 Franklin Street, Parcel Number 12-07-321.000 to Ellis Linfernal

Introduced by Council Member Lisa A. Ruggiero

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 703 Franklin Street also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel Number 12-07-321.000, and

WHEREAS title to said lands have since been retained by the City of Watertown as acquired at said tax sale, which titles were retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real properties have never been assigned by the Council for a public use, and

WHEREAS the City Council deems the property to be excess and not required for any City purpose, and

WHEREAS the City developed a Request for Proposal (RFP) through its Vacant Homes Redevelopment Initiative for the rehabilitation of this property, and

WHEREAS the evaluation of proposals submitted through this RFP process included the consideration of the experience of the developer/contractor, the proposed work scope and investment, the proposed purchase price, the proposed tenancy, the financial capacity of the developer/contractor and the proposed rehabilitation timeline, and

WHEREAS after review of the proposals submitted for this property, Staff is recommending that this property be sold to Ellis Linfernal, and

WHEREAS Ellis Linfernal has offered to purchase this parcel for \$16,600 and invest additional funding in the property to rehabilitate the home including improvements such as the installation of a new roof and porch, siding repairs, a new kitchen and bathrooms, floors, windows and new mechanical systems such as plumbing and heating and new electrical, and

WHEREAS the City Council desires to ensure that property such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed,

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 16 adopted by the Council on June 6, 1977, that the offer of \$16,600.00 submitted by Ellis Linfernal, for the purchase of Parcel Number 12-07-321.000, for the purposes of a housing rehabilitation project as described above is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey M. Smith, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real properties to Ellis Linfernal, upon receipt of the above-mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that the property sold must be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed.

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

Resolution No. 15 - Approving the Sale of Real Property Known as 802 Franklin Street, Parcel Number 11-09-123.000 to Scott and Heather Cathey

Introduced by Council Member Lisa A. Ruggiero

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 802 Franklin Street also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel Number 11-09-123.000, and

WHEREAS title to said lands have since been retained by the City of Watertown as acquired at said tax sale, which titles were retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real properties have never been assigned by the Council for a public use, and

WHEREAS the City Council deems the property to be excess and not required for any City purpose, and

WHEREAS the City developed a Request for Proposal (RFP) through its Vacant Homes Redevelopment Initiative for the rehabilitation of this property, and

WHEREAS the evaluation of proposals submitted through this RFP process included the consideration of the experience of the developer/contractor, the proposed work scope and investment, the proposed purchase price, the proposed tenancy, the financial capacity of the developer/contractor and the proposed rehabilitation timeline, and

WHEREAS after review of the proposals submitted for this property, Staff is recommending that this property be sold to Scott and Heather Cathey, and

WHEREAS Scott and Heather Cathey have offered to purchase this parcel for \$18,362 and invest additional funding in the property to rehabilitate the home including improvements such as a new roof, window replacement, remodeling of the kitchens and bathrooms, new flooring, interior paint, new hot water heaters and new mechanical systems such as new furnaces and plumbing repairs, and

WHEREAS the City Council desires to ensure that property such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed,

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 16 adopted by the Council on June 6, 1977, that the offer of \$18,362 submitted by Scott and Heather Cathey, for the purchase of Parcel Number 11-09-123.000, for the purposes of a housing rehabilitation project as described above is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey M. Smith be, and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Scott and Heather Cathey, upon receipt of the above-mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that the property sold must be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed.

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

OLD BUSINESS

Ordinance Amending the Code of the City of Watertown, Chapter 310, Zoning and Repealing Chapter 11, Boards and Commissions, Article I, Planning Commission. *(Introduced on 2/6/2023; public hearing held this evening; appears in its entirety in the 2023 Minutes Book on page 8-9 of the 2/6/2023 minutes).*

Council Member Olney mentioned there have been questions over whether Council will have oversight but he still feels this is what is best for the community moving forward.

Council Member Pierce thanked the committee members for their work and said she has heard concerns regarding multi-units allowed in what used to be Residential A areas.

Mr. Lumbis said there has been a lot of discussion of this, but upon reviewing the GIS mapping, they discovered there are not a lot of areas that have true single-family homes. He commented that the committee did consider a multi-level residential category but then did not feel it was necessary.

Lisa Nagel, representative from Elan Planning, Design and Landscape Architecture, explained that as a result of the workshops, open houses and discussions with Council, the committee did remove some of the uses within the residential category.

There was further discussion of people's concerns with duplexes in the residential zone and whether they needed to be owner-occupied, as well as the size of the house that met the threshold.

Senior Planner Jennifer Voss explained for Council Member Olney that the new zoning makes a waterfront overlay district which allows the City to move forward with the LWRP.

Mayor Smith expressed his concerns about losing single-family neighborhoods and that it might cause people to move outside the City into new developments having single-family neighborhoods.

The oversight being given to the Planning Commission and not the Council was discussed. It was noted that this is how it is done in most municipalities.

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

STAFF REPORTS

Fiscal Year 2021-22 Audit Report

A report was available for Council to review, corresponding with the presentation given prior in the meeting.

Arena Revenue and Expenditure Report – Fiscal Years 2016-17 through 2022-23 (YTD)

At the request of Council Member Ruggiero, a report was given to Council showing the Watertown Municipal Arena's direct revenues and expenditures beginning with the first full year after being renovated. Also included were two debt schedules related to the renovation and the bed tax revenues that have been ear-marked by City Council annually to partially off-set the debt.

Council Member Ruggiero pointed out that the arena loses money each year, which is approximately three times more than what the golf course is projected to lose. She remarked that certain amenities do not make money for the City, noting the City still owes \$8 million on the arena debt, and their intent is to offer event and activities to the community. She mentioned that the bed tax that is applied to the arena debt could be used for marketing. She asked if the arena will ever show a profit.

City Comptroller James Mills replied that the trend will continue unless Council decides to negotiate increases to the contracts with the user groups of the arena and increase the fee schedule. He continued to respond to questions from Council Member Olney regarding the history of the arena rehab project, its costs and change orders cost, and its revenue losses. He confirmed there is not a budget line item for marketing.

Council Member Olney commented that many people enjoy the arena, regardless of its revenue loss, and said that it is about the return on investment in quality of life. He compared this to the purchase of the golf course and the building of pools.

A lengthy discussion occurred about sales taxes revenue and the increases seen over the past three years. Mr. Mills warned that sales tax revenue is volatile, and it could swing downward. He also stressed that FY 2019-20 reflects the beginning of COVID-19 so the increases seen in FY 2020-21 and FY 2021-22 could reflect the effect of coming out of COVID-19.

Mayor Smith stressed that when the arena was rebuilt there was no promise that it would make money. He also pointed out that it is open for activities year-round.

Sale of Surplus Hydro-electricity – January 2023

A report was available for Council to review.

Sales Tax Revenue – January 2023

A report was available for Council to review.

FY '22 Safer Grant

A report from Fire Chief Timmerman outlining the application window for the FY22 FEMA SAFER grant and what is covered by the funding was given to Council. It indicated that the application deadline is March 17, 2023, and asked for Council to approve a submission for four additional positions. Chief Timmerman advised that he would have more information for Council to make a determination at the next meeting.

NEW BUSINESS

Notable Dates and Upcoming Meetings

Council Member Hickey noted some upcoming meetings and notable dates including: Watertown Local Development Corp, Friends of Thompson Park, and Eclipse meetings all on February 23; the date to turn in election petitions on February 28; the first day of Women's History Month on March 1; and the NOAA Sanctuary meeting on March 2.

COVID-19 Memorial

Council Member Hickey informed Council that Allison Gorham is spearheading a project to get a COVID-19 memorial in Thompson Park. Her project is currently short by \$18,000. He noted donations could be sent to Northern New York Community Foundation.

Apartments at 661 Factory Street

Council Member Hickey noted that the Factory Street apartment building was one step closer to being cleared for people to move in. He also indicated that the Jefferson County Department of Social Services would have an office in the building, similar to their office space at 140 High Street.

Ogdensburg Firefighters

Council Member Hickey commented that the firefighters' union in the City of Ogdensburg had recently offered to pay the cost of a grant writer in an attempt to secure successful SAFER grant applications.

Thousand Islands Event Center

Council Member Hickey informed Council that New York State representatives Senator Mark Walczyk, Assemblyman Scott Gray and Assemblyman Kenneth Blankenbush issued a joint statement in support of the Town of Watertown's proposed event center.

Jefferson County Rural Bus Transit Program

Council Member Hickey stated that the Rural Transit Program had a second draft proposal of a county map. The plan is to have the routes approved by May of 2023 with another round of public input and a third-party operator selected by January 2024.

Drug Overdoses & Harm Reduction Kits

In light of Oneida County Sheriff Rob Maciol's statement that more than half of the people overdosing in his county are at home at the time, Council Member Hickey stated there is a need for more Harm Reduction kits, including NARCAN, to be made available to households.

Confidential Assistant to Council Position

Mentioning the many calls and emails that he receives from constituents, Council Member Olney indicated that he has a hard time responding to everyone and being able to answer all their questions. Noting that the City recently added the position of Confidential Assistant to the City Manager, he recommended that a Confidential Assistant to Council position be added. He said this person could receive calls and help people get the services that they need.

Marketing Director Position

Council Member Olney proposed adding a position for a Marketing Director who could help promote the City and its activities.

211CNY

Referring to Council Member Olney's comments about services available in the area, Council Member Pierce advised that 211CNY is a good resource and has every category for services provided in the community.

Solar Eclipse Meeting

Council Member Pierce announced that the next Solar Eclipse Meeting will be held Thursday, February 23 at 2 p.m. in City Hall Council Chambers.

Autism Recreation Activities

Council Member Pierce mentioned that she was contacted by a mother with an autistic child inquiring about creating more recreation activities for autistic children. She said the suggestion was for an autistic trail within Thompson Park.

Adopt-A-Spot Program

Council Member Pierce reminded everyone that the Adopt-A-Spot program still has locations available and is a good way to be active in the community.

Bail Reform Update

Council Member Ruggiero advised that she spoke with the District Attorney about providing Council with an update on Bail Reform at an upcoming work session.

Mr. Mix indicated that the Police Chief has asked that it be scheduled for March 13.

Governor Hochul's Initiatives

Council Member Ruggiero mentioned that New York State representatives Senator Mark Walczyk and Assemblyman Scott Gray spoke at a recent Realtor's Meeting regarding some of the Governor's initiatives that could negatively affect this area of the State. She provided details of some of the initiatives.

Motion was made by Council Member Lisa A. Ruggiero to move into Executive Session to discuss the employment history of a particular person or corporation and to discuss information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed.

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

Mr. Mix explained that there is another topic to be discussed in executive session, stating that it is discussions regarding proposed, pending or current litigation. He added that he would like to discuss where the City is in relation to the purchase agreement of the Watertown Golf Club.

Mayor Smith asked if there was any current litigation pending.

Mr. Mix clarified that there is no pending litigation, and said there is potential litigation.

In response to Mayor Smith's question of whether this meets the requirements for executive session under the Open's Meeting Law, Attorney Miller explained that Council can go into executive session to receive the advice of legal counsel without use of any of the exceptions.

Motion was made by Council Member Lisa A. Ruggiero to move into Executive Session to receive the advice of legal counsel pertaining to the purchase agreement of the Watertown Golf Course

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

Council moved into Executive Session at 10:27 p.m.

Council reconvened at 11:26 p.m.

ADJOURNMENT

At the call of the chair, meeting was duly adjourned at 11:26 p.m. by motion of Council Member Patrick J. Hickey, seconded by Mayor Jeffrey M. Smith and carried with all voting in favor thereof.

Ann M. Saunders
City Clerk