

**CITY COUNCIL MEETING
CITY OF WATERTOWN
March 6, 2023
7:00 p.m.**

Mayor Pro Tem Council Member Lisa A. Ruggiero Presiding

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

Not Present: Mayor Jeffrey M. Smith

Also Present: Kenneth A. Mix, City Manager
Justin Miller, Interim City Attorney (via teleconference)

City staff present: James Mills, Fire Chief Matthew Timerman, Michael Lumbis, Vicky Murphy, Michael Delaney, Logan Eddy

The City Manager presented the following reports to Council:

- Resolution No. 1 - Approving Amendment #1 to BCA Architects & Engineers Agreement for Soda Ash Improvements Project
- Resolution No. 2 - Accepting Bid for Court Street Vault Infills Project D.E.W. Builders Inc.
- Resolution No. 3 - Authorizing Sale of Real Property, Known as 850 Superior Street to Michelle Averell, 850 Superior Street, Watertown, New York 13601
- Resolution No. 4 - Authorizing Sale of Real Property, Known as VL Superior Street to Michelle Averell, 850 Superior Street, Watertown, New York 13601
- Resolution No. 5 - Approving the Contract with Barton & Loguidice, D.P.C. For Franklin Street ADA Ramp Design Services
- Resolution No. 6 - Authorizing Application to US Department of Homeland Security for the Staffing for Adequate Fire and Emergency Response (SAFER) Grant
- Tabled - Directing the City Manager to Prepare a Request for Proposals for Consulting Services Pertaining to Recreational and Hydropower Opportunities on the Black River
- Report - Community Development Block Grant (CDBG) Program Year 2023 Annual Action Plan – Update

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 21, 2023, was dispensed and accepted as written by motion of Council Member Sarah V.C. Pierce, seconded by Council Member Patrick J. Hickey and carried with all voting in favor thereof.

COMMUNICATIONS

A claim was received from Suzanne Taylor seeking reimbursement for damages to her vehicle from an open manhole on Superior Street on February 2, 2023.

Above claim has been referred to the Board of Audit.

PRIVILEGE OF THE FLOOR

Jason Traynor, 424 Arsenal Street, addressed the chair regarding the need for affordable rent in the City. He suggested rents he thought would be suitable for people on SSI and SDI. He also expressed concerns with the homeless situation, drug epidemic and road conditions.

Brian Watson, Flower Street, informed Council that he is still waiting for answers about how the Council intends to bring investors back to Watertown and protect landlords.

Jonathan Phillips, 735 Mill Street, expressed his objection to prices for the rental properties he sees listed on social media. He also read the results of a Newzjunky poll on public opinion about the Golf Course.

Tammy Higby, Olive Street, told Council a story about her daughter's experience trying to get a job while on social services. She explained her belief that the City and County should offer more services for what she referred to as "regular people."

RESOLUTIONS

Resolution No. 1 - Approving Amendment #1 to BCA Architects & Engineers Agreement for Soda Ash Improvements Project

Introduced by Council Member Sarah V.C. Pierce

WHEREAS BCA Engineers & Architects and the City of Watertown entered into an Agreement dated May 1, 2019 for the Soda Ash System Rehabilitation Project for the total amount of \$60,500, and

WHEREAS BCA submitted Amendment No. 01, on January 27, 2023, for additional Resident Project Representative services, an increase in the contract price of \$31,270,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts Amendment Order No. 01 in the amount of \$31,270 for the Water Filtration Plant Soda Ash System Rehabilitation Project, bringing the total contract amount to \$91,770, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to sign all documents necessary to accept Amendment No. 01 on behalf of the City of Watertown.

Seconded by Council Member Patrick J. Hickey

Prior to the vote on the foregoing resolution, Council Member Olney questioned the scope of the project and asked for a clarification of the expense.

Water Superintendent Vicky Murphy explained that the City's water has lead in it and the soda ash makes the water less aggressive. The original contract and cost was redistributed to three contractors and costs had increased accordingly.

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

Resolution No. 2 - Accepting Bid for Court Street Vault Infills Project D.E.W. Builders Inc.

Introduced by Council Member Sarah V.C. Pierce

WHEREAS the City desires to infill existing vaults located below sidewalks located at 302 and 170 Court Street, and

WHEREAS the Purchasing Department advertised and received two (2) sealed bids for the Court Street Vault Infills Project, and

WHEREAS on February 22, 2023, at 2:00 p.m. the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bids received with the Engineering Department and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by D.E.W. Builders Inc., and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from D.E.W. Builders Inc. in the amount of \$140,062.00, and

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

Seconded by Council Member Patrick J. Hickey and carried with all present voting yea.

Resolution No. 3 - Authorizing Sale of Real Property, Known as 850 Superior Street to Michelle Averell, 850 Superior Street, Watertown, New York 13601

Introduced by Council Member Sarah V.C. Pierce

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 850 Superior Street, approximately 49' x 117' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 01-16-308.000, 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 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 of their sale to subsequent buyers,

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 \$5,900.00 submitted by Michelle Averell, for the purchase of Parcel No. 01-16-308.000, 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 Michelle Averell 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 if the property sold is not 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 of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by Council Member Patrick J. Hickey and carried with all present voting yea.

Resolution No. 4 - Authorizing Sale of Real Property, Known as VL Superior Street to Michelle Averell, 850 Superior Street, Watertown, New York 13601

Introduced by Council Member Sarah V.C. Pierce

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as VL Superior Street, approximately 18' x 63' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 01-16-307.001, 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 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 of their sale to subsequent buyers,

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 \$1,900.00 submitted by Michelle Averell, for the purchase of Parcel No. 01-16-307.001, 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 Michelle

Averell 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 if the property sold is not 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 of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by Council Member Patrick J. Hickey and carried with all present voting yea.

Resolution No. 5 - Approving the Contract with Barton & Loguidice, D.P.C. For Franklin Street ADA Ramp Design Services

Introduced by Council Member Sarah V.C. Pierce

WHEREAS the City Council of the City of Watertown has included funding for the Franklin Street ADA Ramp Replacement Project in the Program Year 2022 Community Development Block Grant (CDBG) Annual Action Plan, and

WHEREAS the City wishes to retain Barton & Loguidice, D.P.C. to perform design services for the Franklin Street ADA Ramp Replacement Project under a professional services agreement, and

WHEREAS Barton & Loguidice, D.P.C. has submitted a proposal for professional services that City Planning and Engineering Staff have reviewed and recommend accepting.

NOW THEREFORE BE IT RESOLVED that the City Council hereby approves the professional services agreement with Barton & Loguidice D.P.C. for design services for the Franklin Street ADA Ramp Replacement Project, a copy of which is attached and made part of this resolution, for an amount not to exceed \$16,900, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute the professional services agreement on behalf of the City.

Seconded by Council Member Patrick J. Hickey and carried with all present voting yea.

Resolution No. 6 - Authorizing Application to US Department of Homeland Security for the Staffing for Adequate Fire and Emergency Response (SAFER) Grant

Introduced by Council Member Sarah V.C. Pierce

WHEREAS the US Division of Homeland Security is accepting applications for the Security Staffing for Adequate Fire and Emergency Response (SAFER) Grant, and

WHEREAS the City of Watertown Fire Department wishes to prepare an application that meets the intended purpose of this grant, and

WHEREAS the application is for \$1,279,000 to support four firefighters and requires no matching funds from the applicant, but will require the City to maintain staffing levels for the three-year period,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the Fire Department to submit a grant application for the funding of \$1,279,000 to the US Division of Homeland Security for the Security Staffing for Adequate Fire and Emergency Response (SAFER) Grant, and

BE IT FURTHER RESOLVED that Fire Chief Matthew Timerman is hereby authorized and directed to execute the grant application on behalf of the City of Watertown.

Seconded by Council Member Patrick J. Hickey

Council Member Pierce asked for the timeline and steps for the SAFER Grant.

City Fire Chief Matthew Timerman explained that the department would apply by the 17th of March and the timeframe for hearing back was supposed to be between June and September. He noted, however, that there would most likely be a delay. Once the Fire Department received notification, he added, it would be brought to Council for approval.

Council Member Olney asked Chief Timerman to confirm that the application for four firemen was proactive enough to cover the department's potential retirements and upcoming needs.

Chief Timerman confirmed that the addition of four firefighters gets the City to the "sweet spot" of 72 that he had advocated for at a previous meeting.

Mayor Pro Tem Ruggiero inquired whether the money allotted for turnout gear would roll over to this year's budget.

City Comptroller James Mills advised that the funds would be reappropriated. He explained if the grant was received and accepted, the budget could be readopted after July 1st.

Mayor Pro Tem Ruggiero asked if the number of firefighters was still lower than it had been in previous years.

Chief Timerman confirmed that the staffing number has been whittled down since the '90s, but that 72 was their best reasonable guess as to what will be the most efficient staffing. He noted that there would always be retirements and there could be injuries and there are no definites, but the department feels that this number is the best advice they can give.

Mr. Mills added that the City did not wish to budget for "what-ifs."

Council Member Olney advised that sometimes the Council asks questions so the answers can be provided for the public's benefit.

Mayor Pro Tem Ruggiero asked where the new hires would be trained.

Chief Timerman stated they would be doing training in-house and they were excited about the opportunity. He added that is one thing to be good at your job and another to be able to teach your job to others. He added that this could be a learning opportunity for departmental staff.

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

OLD BUSINESS

Resolution - Directing the City Manager to Prepare a Request for Proposals for Consulting Services Pertaining to Recreational and Hydropower Opportunities on the Black River.

(Introduced on February 21, 2023; tabled; appears in its entirety in the 2023 Minutes Book on page 13-17 of the 2/21/2023 of the 2023 minutes).

Motion was made by Council Member Patrick J. Hickey to remove the foregoing resolution from the table. Motion was seconded by Council Member Clifford G. Olney III and carried with all present voting in favor thereof.

Council Member Olney re-stated his desire to get a person to oversee all of the future development of the River and make sure Council is going in the right direction.

Mr. Mix noted that the Resolution as written does not suggest a single position but rather consultants with three different areas of expertise: Marketing/Engineering/Legal. He went on to say that a Resolution such as this would generally have stated deliverables and this Resolution suggests three different deliverables from one consultant.

Council Member Olney commented that what he is trying to do is get one person who can sort all of this out. He questioned some missed opportunities due to the necessity of a zoning change for the Local Waterfront Revitalization Plan (LWRP).

Mr. Mix clarified that the LWRP did require the zone be changed first before the plan could be implemented.

Mr. Lumbis listed the funding sources and noted the LWRP would identify projects.

Council Member Olney re-stated that this is why he wants a person in place to handle all of this.

Mayor Pro Tem Ruggiero suggested re-writing the proposed Resolution and coming back with more precise wording on what Council hoped to accomplish.

Council Member Pierce commented that she liked the idea of what this Resolution is trying to do but noted that there was already an RFP for a grant writer and asked if this could be the grant writer's first task once hired.

Mr. Mix indicated the City had received five submissions for a grant writer. He agreed the grant writer could work on parts of this as the individual projects were chosen.

Council Member Olney asked how soon grants could be applied for, adding he knew grant season was usually in the spring.

Mr. Mix indicated the process of writing grant applications could begin now.

Council Member Olney agreed that the Resolution could be streamlined.

Council Member Hickey expressed concern that the City had missed an opportunity with Sewall's Island and did not want to miss any future opportunities. He indicated his hopes that the City could start selling electricity to its citizens sooner rather than later and noted his desire to be pro-active rather than waiting until the contracts ran out.

Council Member Olney agreed with Council Member Hickey's desire to be proactive. He noted his belief that City staff is already stretched thin and he would not want to miss any opportunities. He commented that he wants to push the River agenda forward and that is the purpose of this Resolution.

Mr. Mix advised they would be getting a synopsis of the River projects to Council soon and they would be able to choose which projects to start with.

In response to Council Member Olney's question about selling electricity to outlying communities throughout the County, Mr. Mix said that could only be done if the City were to work with a particular community in a cooperative manner.

Council Member Olney noted that the amount the City could make off the sale of electricity might seem small as it is only pennies, but those pennies can add up and he compared the sale of electricity to the amount of money the City makes off sales tax.

Council agreed the Resolution needed to be streamlined.

Council Member Lisa A. Ruggiero withdrew her introduction of this Resolution and Council Member Sarah V.C. Pierce withdrew her second.

STAFF REPORTS

Community Development Block Grant (CDBG) Program Year 2023 Annual Action Plan – Update

Planning and Community Development Director Michael Lumbis explained the proposed expenditures for 2023 and noted the steps in the process of coming to this proposed list. He indicated that if Council was in agreement, the final draft would be prepared and published in the newspaper and on the City's website. He noted that after the 30-day period for public comment, the plan would be ready for approval on the first meeting in May.

Council Member Olney questioned the \$25,000 request by Transitional Living and asked if their facility was now open mentioning that he had seen they were still hiring staff.

Mr. Lumbis said he believed they had open recently.

Mayor Pro Tem Ruggiero mentioned she had heard the facility had all the staff they required.

Council Member Olney asked if the \$25,000 previously allotted by Council was the same \$25,000 listed in the CDBG budget.

Mayor Pro Tem Ruggiero explained that this was a different \$25,000.

Council agreed that the CDBG proposal looked good and advised the Planning Department to move forward.

NEW BUSINESS

Upcoming Meetings and Events

Council Member Hickey announced some upcoming dates for Council to be aware of including: City Planning Commission on March 7; anniversary of Peyton Morse's death on March 12; City Council Work Session on March 13; Pivot hybrid meeting on March 15; Irish Flag raising at City Hall on March 17; Irish Festival March 17-19, the 34th Shamrock Run and Parade on March 19 and Fair Housing Round Table on April 18.

Beaver Meadows Wastewater

Council Member Hickey informed Council that the City of Watertown had received notice on February 28 from the Department of Environmental Conservation to cease the practice of discharging untreated wastewater into Beaver Meadows to alleviate flooding on Butterfield Avenue.

SAFER Grant

Council Member Hickey explained that, in light of the Federal government's Assistance to Firefighters Grants program expiring in September, Senator Schumer had a bill known as the Fire Grants and Safety Act of 2023 introduced in hopes of continuing the program through 2030. He also noted that Ogdensburg's City Council had voted against applying for this year's SAFER grant which could improve the City of Watertown's chances of receiving one.

Tree City USA

Council Member Hickey advised Council that the City of Watertown would be recognized for its work at the Tree City USA meeting in Baldwinsville on March 23, further noting that it is the City's 22nd consecutive year of receiving this honor.

Xylazine

Council Member Hickey informed Council that a particularly deadly drug called Xylazine has now reached upstate New York. He advised that the City needs to be vigilant against these drugs and increase its efforts to create a better and safer drug-free community.

Affordable Housing/Rental Costs/Privilege of the Floor Comments

Council Member Olney indicated he had been working with Ms. Higby and was sympathetic to the concerns about the lack of availability of affordable housing in the City. He also offered his thanks to Department of Social Services Commissioner Theresa Gaffney for installing an office in the newly-renovated apartment building at 661 Factory Street. He commended DSS for having oversight of that housing facility. He proposed a future work session to discuss what the City could be doing to improve and increase affordable housing in the City.

Eclipse Meeting

Council Member Pierce mentioned that at the last Eclipse meeting, the Thousand Islands Tourism Council had taken over the marketing campaign and were looking for communities to buy into that

campaign. She proposed any Eclipse marketing funds left in the City's budget be sent to the Tourism Council.

Golf Course Tournaments/Electrical Work

Council Member Pierce requested a list of contacts for proposed Golf Tournaments at the City's Golf Course.

Mr. Mix stated that the City had received some, but not all information.

Council Member Pierce asked what the holdup was in making contact.

Mr. Mix said staff had not yet come to an agreement on how to handle the tournaments.

Council Member Pierce asked if the electrical work had been done at the Golf Course Clubhouse.

Mr. Mix reported that a contractor had inspected the building and that an electrical engineer was coming in this week.

In response to Council Member Pierce's questions as to how much work needed be done and if Mr. Lundy was paying for it, Mr. Mix indicated that it was a lot of work and the City would be paying the costs. Mr. Mix noted that the building now belonged to the City and was purchased "as is."

Social Media Policy for Elected Officials

Council Member Pierce inquired of interim City Attorney Justin Miller if any progress had been made concerning a policy directing elected officials on social media. A problem with the teleconference feed prevented Mr. Miller from answering.

Mr. Mix noted that staff was still working on this.

Irish Flag Raising

Mayor Pro Tem Ruggiero mentioned that the State had opted not to raise the Irish Flag in front of the State Office Building due to a new flag policy. She commented that it made sense for the City to include the Irish Festival when it raised the flag on March 17.

In response to Council Member Pierce's question if organizers of the Festival had contacted the City, Mr. Mix said they had not.

Shapiro Award Dinner

Mayor Pro Tem Ruggiero noted she had attended the Israel Shapiro Citizen of the Year Award dinner honoring Mel Busler and noted his 23-year service to Meals on Wheels.

Housing

Mayor Pro Tem Ruggiero mentioned several future housing developments planned for the City and expressed hope that they could alleviate some of the affordable housing concerns.

Motion was made by Council Member Sarah V.C. Pierce to move into Executive Session to discuss the proposed acquisition, sale or lease of real property and to discuss collective negotiations.

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

Council moved into Executive Session at 8:27 p.m.

Council reconvened at 9:20 p.m.

A D J O U R N M E N T

At the call of the chair, meeting was duly adjourned at 9:20 p.m. by motion of Mayor Pro Tem Lisa A. Ruggiero, seconded by Council Member Clifford G. Olney III and carried with all present voting in favor thereof.

Lisa M. Carr

Deputy City Clerk