

**CITY COUNCIL MEETING  
CITY OF WATERTOWN  
April 17, 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  
H. Todd Bullard, Interim City Attorney (via teleconference)**

**City staff present:** Michael Delaney, Vicky Murphy, Michael Lumbis, Scott Weller, Kyle Meehan, Angel French, Dana Aikins, Logan Eddy

The City Manager presented the following reports to Council:

- Resolution No. 1 - Approving Professional Services Agreement with GYMO Architecture, Engineering & Land Surveying D.P.C. for Preliminary Design of the City Court and Other City Hall Renovations
- Resolution No. 2 - Accepting Bid for Element Specific Repairs to Van Duzee Street Bridge Project from Vector Construction Corporation
- Resolution No. 3 - Approving Supplemental Agreement No. 1 with C&S Engineers for Van Duzee Street Bridge Repairs (BIN 2220210)
- Resolution No. 4 - Accepting Bid for WWTP Lift Station Systems Upgrade Project from Koester Associates
- Resolution No. 5 - Readopting Fiscal Year 2022-23 Sewer Fund Budget – Lift Station Systems Upgrade Project
- Resolution No. 6 - Approving an Amendment to the Grant Agreement with the Alcohol & Substance Abuse Council of Jefferson County, Inc., d/b/a Pivot for the Frontline Employment Partnership Program
- Resolution No. 7 - Approving Agreement with SWBG Wholesale, Inc. for Trash Abatement Services
- Resolution No. 8 - Approving Agreement with AstroTurf Corporation for Basketball Court Resurfacing Services
- Resolution No. 9 - Approving Agreement with Volunteer Transportation Center, Inc. for Mobility Management Services - City
- Resolution No. 10 - Amending the Program Year 2021 Memorandum of Understanding Between the City of Watertown and CNY Fair Housing to Administer a Fair Housing Education and Enforcement Program
- Resolution No. 11 - Accepting Bid for Grant Street, Henry Street and Seward Street Reconstruction Project from Luck Bros. Inc.
- Resolution No. 12 - Readopting Fiscal Year 2022-23 Capital Fund Budget and Fiscal Year 2022-23 Sewer Fund Budget – Grant Street, Seward Street, and Henry Street Construction Project
- Resolution No. 13 - Accepting Bid for WTP Exterior Door and Frame Replacement Project from Zerodraft of CNY Inc.

- Resolution No. 14 - Accepting Bid for Barben Avenue, Holcomb Street, Bugbee Drive and East Street Water Main Replacements Project from Edge Civil Corporation
- Resolution No. 15 - Approving Golf Course Concession License Agreement with Spokes on the Green, Incorporate
- Resolution No. 16 - Approving Change Order No. 1 for the Division Street East and Thompson Street Water Main Replacement Project with EDGE Civil Corporation
- Staff Report - Sale of Surplus Hydro-electricity – March 2023
- Staff Report - Sales Tax Revenue – March 2023

**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 April 3, 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**

An email was received from Bill Dermady, 118 Seymour Street, questioning Council's use of executive sessions, especially the reason given during the April 3, 2023 meeting.

Several emails were received from Jude Seymour, on behalf of the Jefferson County Board of Elections, addressing questions and concerns regarding the changing of polling sites, voting statistics, the amount thought to be owed by the City of Watertown to the Jefferson County Board of Elections, NYS Election Law, Watertown Nonpartisan Primaries and Elections Act and the handling of a tie in the City Council Race.

**Above communications were placed on file in the office of the City Clerk.**

A claim was received from Geico Insurance, on behalf of their policy holder Debra Hosmer, seeking reimbursement of \$7,447.30 for damages to her vehicle caused by an incident with a City refuse truck on March 16, 2023.

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

### **PROCLAMATION**

Mayor Smith interrupted the regular course of business to proclaim the month of April, 2023 as "Fair Housing Month" in the City of Watertown, New York, and to establish Watertown as an inclusive community committed to fair housing and to promote appropriate activities by private and public entities intended to provide or advocate for equal housing opportunities for all residents and prospective residents of the City of Watertown.

Lance Evans, Executive Officer of Jefferson-Lewis Board of Realtors, was present to accept the Proclamation and read a prepared statement, thanking the City for their continued commitment to fair housing.

### **PRIVILEGE OF THE FLOOR**

**Robert Sawyer**, 205 Iroquois Avenue West, expressed safety concerns with the intersection of Sherman Street and Iroquois Avenue West, noting that many people do not stop and drive through the intersection.

**Tina Hibgy**, Olive Street, provided Council with an update on her new home after being homeless and thanked Council for the job that they do.

**Ed Smalls**, Franklin Street, thanked Council and the Police for helping to resolve the issues that he spoke about last time. He also thanked Council for providing a forum for the public to speak. He also complimented Code Enforcement for providing assistance and educating people about the process of their office.

**Bill Bonner**, Watertown, spoke about the property damage that was done to one of his rentals and said that an arrest has finally been made. He noted that the person was not charged with property damage but with other charges. He asked for equal protection under the law, mentioning that landlords are not getting help with tenants damaging their units. He stressed that people need to be accountable for their actions. Lastly, he expressed concern about inadequate police reports in order for him to file an insurance claim.

**Jason Traynor**, 424 Arsenal Street, mentioned accusations that were made about his petitions submitted for the Council elections, noting that he has an honest campaign. He talked about the improvements being done to downtown, which will make it look nice, but questioned what was being done with the old Globe building and why the sidewalks were being made wider and taking away parking.

**Lance Evans**, Flower Ave, noted that he works on Court Street and has noticed individuals turning out of the Carthage Saving Bank parking lot, driving the wrong way on the one-way street in order to turn onto Marshall Place. He also mentioned that many drivers continue from Sherman Street into what will become the YMCA parking lot and down the parking garage ramp to Court Street. He noted this is not intended to be a through street.

**Robert (no last name given)**, asked where the ornamental golf ball from the golf club is and why the individual who took it has not been charged, noting that it was theft and anyone else would have been charged with trespassing and theft. He expressed concern with this being considered an “April Fools” joke and Council Member Olney’s reaction to it, as well as the two developers’ involvement. He also made reference to Council Member Olney not owning property in the City.

**Jonathan Phillips**, 735 Mill Street, indicated that he reported to the Police that a resident was driving an ATV on an active railroad track within the City and expressed safety concerns. He suggested that the City ask CSX to put fencing up around the railbed.

**Trina Kaun**, Pratt Street, spoke about the property damage that landlords have seen done by renters and asked for a work session with Council, landlords and the Police in order to come up with a solution for handling it. She said there needs to be better Police reports so that insurance claims can be filed.

**Robert Kimball**, addressed the chair concerning the sidewalk program, suggesting that the City bear the full cost of the sidewalk replacements. He also inquired about a permanent solution for legal counsel to the City, noting that the temporary attorneys do not appear in person. He said he hoped Council could find a local attorney who could attend the meetings in person.

## **RESOLUTIONS**

### **Resolution No. 1 - Approving Professional Services Agreement with GYMO Architecture, Engineering & Land Surveying D.P.C. for Preliminary Design of the City Court and Other City Hall Renovations**

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

WHEREAS the City of Watertown requested proposals from architectural firms for design services associated with the renovation of City Court and other aspects of City Hall, and

WHEREAS the proposals were reviewed, and staff is recommending that GYMO Architecture, Engineering & Land Surveying D.P.C. be selected to provide said design services, and

WHEREAS GYMO is proposing to complete preliminary design for: interior court renovations to include a security entrance, exterior improvements, upper roof replacement, elevator replacement, and MEP upgrades to include an added penthouse AHU for \$84,411.60, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement for Professional Services with GYMO Architecture, Engineering & Land Surveying, D.P.C. for Preliminary Design of City Court and Other City Hall Renovations, a copy of which is attached and made part of this Resolution, and

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

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

### **Resolution No. 2 - Accepting Bid for Element Specific Repairs to Van Duzee Street Bridge Project from Vector Construction Corporation**

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

WHEREAS the City desires to remove and replace bridge joints, perform localized painting to the steel superstructure and bearings, curb resetting, bridge railing resetting, and concrete deck fascia repairs to the Van Duzee Street Bridge over Black River, and

WHEREAS the Purchasing Department advertised and received three (3) sealed bids for the Element Specific Repairs to Van Duzee Street Bridge Project, and

WHEREAS on March 21, 2023, at 3:00 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 in consultation with C&S Companies and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Vector Construction Corporation, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Vector Construction Corporation in the amount of \$720,982.50, and

BE IT FURTHER RESOLVED that the City Manager of the City Watertown is hereby authorized and directed to execute a contract with Vector Construction Corporation for the described Van Duzee Street Bridge Project on behalf of the City of Watertown.

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

Prior to the vote on the foregoing resolution, Council Member Olney noted the bid results were significantly higher than the budgeted amount for this project.

City Engineer Michael Delaney explained that there was an increase in material cost, but also once they got into the project, it was discovered that more work was needed.

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

**Resolution No. 3 - Approving Supplemental Agreement No. 1 with C&S Engineers for Van Duzee Street Bridge Repairs (BIN 2220210)**

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

WHEREAS the City of Watertown is planning to rehabilitate the Vanduzee Street Bridge, and

WHEREAS on February 16, 2021, City Council approved a Professional Services Agreement with C&S Engineers, Inc. for the preliminary design of the Bridge Rehabilitation in an amount not to exceed \$10,000, and

WHEREAS C&S Engineers has now submitted Supplemental Agreement No. 1 in the amount of \$90,000 for final design and construction support,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Supplemental Agreement No. 1 in the amount of \$90,000 C&S Engineers, Inc., a copy of which is attached and made a part of this resolution, bringing the total of the engineering services for the project to \$100,000, and

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

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

Prior to the vote on the foregoing resolution, Mr. Mix explained for Council Member Olney that when C&S was initially hired the amount was much less, but once it was realized that more work was needed, C & S continued to do the additional design work. He advised that this amount also includes future work for the management of the project.

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

**Resolution No. 4 - Accepting Bid for WWTP Lift Station Systems Upgrade Project from Koester Associates**

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

WHEREAS the City desires to upgrade the existing lift station systems located on Ives Street, City Center Industrial Park, Fairbanks Street and VanDuzee Street, and

WHEREAS the Purchasing Department advertised and received one (1) sealed bid for the WWTP Lift Station Systems Upgrade Project, and

WHEREAS on March 23, 2023, at 10:00 a.m. the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bids received with the Water and Engineering Departments and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Koester Associates, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Koester Associates in the amount of \$165,240.00, and

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

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

Prior to the vote on the foregoing resolution, Council Member Olney questioned why only one bid was received and asked for more information on the project.

Water Superintendent Vicky Murphy explained the City has 10 lift stations throughout the City, and this project will upgrade five of them this year and five of them next year. She said this will be a control upgrade which will allow for communication directly to the plant.

Chief Wastewater Treatment Plant Operator Angel French explained that the bid was sent to multiple vendors but only a few companies have the expertise to perform this work.

Ms. Murphy pointed out that this project is over budget, therefore, the next resolution is to readopt the Sewer Fund budget.

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

**Resolution No. 5 - Readopting Fiscal Year 2022-23 Sewer Fund Budget – Lift Station Systems Upgrade Project**

**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 \$7,622,275 was appropriated for the Sewer Fund, and

WHEREAS the adopted Fiscal Year 2022-23 Sewer Fund budget appropriated \$80,000 for lift station flow monitoring and control system upgrades and \$50,000 for communication system upgrades, and

WHEREAS the City's Purchasing Manager and Water Superintendent recommended City Council accept the bid submitted by Koester Associates for the wastewater treatment plant lift station systems upgrade project in the amount of \$165,240 resulting in a budgetary shortfall of \$35,240,

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

SEWER FUND

Revenues:

G.0000.0909	Fund Balance	\$ 35,240
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Expenditures:

G.8130.0250	Sewage Treatment and Disposal – Other Equipment	\$ 35,240
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**Seconded by Council Member Sarah V.C. Pierce and carried with all voting yea.**

**Resolution No. 6 - Approving an Amendment to the Grant Agreement with the Alcohol & Substance Abuse Council of Jefferson County, Inc., d/b/a Pivot for the Frontline Employment Partnership Program**

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

WHEREAS the City Council approved a Grant Agreement with the Alcohol & Substance Abuse Council of Jefferson County, Inc., d/b/a Pivot on November 16, 2021, for the Frontline Employee Partnership Program, and

WHEREAS the Grant Agreement allocated \$56,476 in Coronavirus Aid, Relief and Economic Security (CARES) Act funding from the United States Department of Housing and Urban Development (HUD) through the Community Development Block Grant (CDBG) program, and

WHEREAS the project has been extremely successful, and Pivot has identified a need in the community to extend the program to continue to provide much needed program services, and

WHEREAS the City has additional CARES Act funding available that can be reallocated to the Frontline Employment Partnership Program to extend the program, and

WHEREAS in order to allow for the continuation of the program, the City is amending the Frontline Employment Partnership Program Grant Agreement dated November 16, 2021 to increase the grant funding by \$14,000 to a total amount not to exceed \$70,476,

NOW THEREFORE BE IT RESOLVED that the City Council approves the Grant Agreement Amendment for the Frontline Employment Partnership Program with the Alcohol & Substance Abuse Council of Jefferson County, Inc., d/b/a Pivot, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey M. Smith, is hereby authorized and directed to execute said Amendment on behalf of the City of Watertown.

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

**Resolution No. 7 - Approving Agreement with SWBG Wholesale, Inc. for Trash Abatement Services**

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

WHEREAS the City desires to enter into a services contract with an experienced and established vendor to provide trash abatement services for trash, junk, and debris abatement services at privately owned, non-compliant residences located within the City limits, Watertown, NY, and

WHEREAS the Purchasing Department advertised and received one (1) sealed proposal for Trash Abatement Services, and

WHEREAS on March 16, 2023, at 2:00 p.m. the proposals received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the proposal received with the Code Enforcement Supervisor and it is their recommendation that the City Council accept the proposal submitted by SWBG Wholesale, Inc., and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the agreement with SWBG Wholesale, Inc. for Trash Abatement Services, a copy of which is attached and made part of this resolution, and

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

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

Prior to the vote on the foregoing resolution, Mr. Mix explained, at the request of Council Member Olney, that this company will be used if DPW staff is not available to clean up trash when a resident is cited but does not clean it up.

Council Member Olney asked if this would be needed if there were more in-house staff.

Mr. Mix reiterated that this company is only used when staff is not available, so now that DPW is fully staffed, it might not be as necessary as it was in the past.



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

**Resolution No. 8 - Approving Agreement with AstroTurf Corporation for Basketball Court Resurfacing Services**

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

WHEREAS the City desires to enter into a services contract with an experienced and established vendor to provide basketball court resurfacing services for basketball courts located at the North (John Adams) Recreation Field and Academy Street Playground, Watertown, NY, and

WHEREAS the Purchasing Department advertised and received one (1) sealed proposal for Basketball Court Resurfacing Services, and

WHEREAS on March 22, 2023, at 3:00 p.m. the proposals received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the proposal received with the Superintendent of Parks & Recreation and it is their recommendation that the City Council accept the proposal submitted by AstroTurf Corporation, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the agreement with AstroTurf Corporation in the amount of \$28,637.00, a copy of which is attached and made part of this resolution, and

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

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

Prior to the vote on the foregoing resolution, Council Member Olney asked why there was only one bid received and why there was not more.

Parks and Recreation Superintendent Scott Weller explained that the bid was sent to multiple vendors.

Mr. Mix stated that the response is dependent on the type of project and the City never knows why vendors do not submit anything. He explained the process used for sending out bids and to whom they are sent.

Council Member Hickey asked if the court surfaces are on a rotating maintenance schedule.

Mr. Weller answered that they are maintained on an observation basis, and it depends on their condition.

Council Member Olney questioned if there are rules required to be followed when the City only receives one bidder.

Attorney Bullard remarked that it is best to send the bid out to as many vendors as possible and it would be preferred to have at least three bids.

Mr. Mix noted that receiving one bid is fine as long as the City gives the opportunity to other vendors to participate. He went on to explain the City's procurement policy, defining the thresholds required for bids and quotes.

Attorney Bullard suggested that staff provide more information in their report to Council and list the number of vendors that bids were sent to.

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

**Resolution No. 9 - Approving Agreement with Volunteer Transportation Center, Inc. for Mobility Management Services – City**

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

WHEREAS the City desires to enter into a services contract with an experienced and established vendor to provide Mobility Management Services to serve people, transportation providers and human service agencies through coordination, service analysis, program development and the promotion of effective, collaborative solutions to meet the transportation needs of all residents of the City of Watertown and the greater Watertown Urbanized Area, Watertown, NY, and

WHEREAS the Purchasing Department advertised and received one (1) sealed proposal for Mobility Management Services - City, and

WHEREAS on February 21, 2023, at 3:00 p.m. the proposals received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the proposal received with the Citibus Transit Director and it is their recommendation that the City Council accept the proposal submitted by Volunteer Transportation Center, Inc., and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the agreement with the Volunteer Transportation Center, Inc. in the amount of \$108,329.00 (Year 1), a copy of which is attached and made part of this resolution, and

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

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

**Resolution No. 10 - Amending the Program Year 2021 Memorandum of Understanding Between the City of Watertown and CNY Fair Housing to Administer a Fair Housing Education and Enforcement Program**

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

WHEREAS the City of Watertown, as a recipient of Community Development Block Grant (CDBG) Entitlement funding under the United States Department of Housing and Urban Development (HUD), has certified that it will affirmatively further Fair Housing, and

WHEREAS the City of Watertown has allocated CDBG funding in its Program Year 2021 Annual Action Plan for a Fair Housing Education Project, and

WHEREAS the City of Watertown, though a previously agreed upon Memorandum of Understanding (MOU), has retained CNY Fair Housing to be its qualified Fair Housing Enforcement Agency and conduct Fair Housing education and enforcement activities up to a not-to-exceed sum of \$5,000 of billable expenses for the term of the MOU, and

WHEREAS the MOU contains a clause allowing modifications to the agreement, and

WHEREAS the City and CNY Fair Housing mutually wish to modify the term of the MOU and extend the end date to May 31, 2023, and

WHEREAS the extension will allow CNY Fair Housing to incur billable expenses under the terms of MOU until May 31, 2023.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves an amendment to the MOU between the City of Watertown and CNY Fair Housing, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that the City Council hereby authorizes and directs the City Manager, Kenneth A. Mix, to execute the amendment on behalf of the City of Watertown.

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

**Resolution No. 11 - Accepting Bid for Grant Street, Henry Street and Seward Street Reconstruction Project from Luck Bros. Inc.**

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

WHEREAS the City desires to perform a full depth reconstruction to portions of Grant Street, Henry Street, and Seward Street to include new sanitary sewer, water main, storm sewer, asphalt pavement, concrete curbing and sidewalks, driveway aprons, signage and striping and ADA compliant crosswalks, and

WHEREAS the Purchasing Department advertised and received two (2) sealed bids for the Grant Street, Henry Street, Seward Street Reconstruction Project, and

WHEREAS on March 20, 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 in consultation with Bernier Carr & Associates and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Luck Bros. Inc., and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid, **\*to include Alternate 1**, received from Luck Bros. Inc. in the amount of ~~\*\$2,881,204.50~~ **\$3,403,203.50**, and

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

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

Prior to the vote on the foregoing resolution, Mayor Smith noted that this project has been discussed for a few years, noting that it was former Council Member Henry-Wilkinson who suggested installing the ornamental lighting. Recognizing that Bid Alternate 1 increases the cost of the project significantly, Mayor Smith recommended accepting it because the area includes some of the oldest streets of the City and residents are in support of it.

Planning and Community Development Director Michael Lumbis relayed the history of the project, noting that it started with sidewalk replacements and developed into water and sewer replacements due to receiving the ARPA funds. He advised this project is funded by multiple funding sources: CHIPS, ARPA, Water and Sewer funds and CDBG.

Council Member Olney pointed out that staff did not recommend doing ornamental lighting and asked if it had to be done at the same time as the rest of the project or if the ornamental lighting could be rebid at another time.

Mr. Lumbis said that ideally it should be done at the same time by the same contractor and pointed out that the ornamental lighting would replace the existing lighting.

**Motion was made by Mayor Jeffrey M. Smith to amend the foregoing resolution to include the Alternate Bid 1 for an additional \$521,999 and was seconded by Council Member Patrick J. Hickey.**

Council Member Olney questioned whether the ornamental lighting should be installed, especially since staff recommended against it.

Council Member Pierce agreed with Mayor Smith, stating that it would be a nice touch to the neighborhood.

Council Member Ruggiero also expressed support, mentioning the ornamental lighting that was done on Arsenal Street Bridge and will be done in Thompson Park.

Mr. Mix mentioned that it was his recommendation not to include the ornamental lighting because it would cost an additional half million dollars. He said the lights would need to be spec out with National Grid and cited issues with the new style that National Grid has used recently on replacement lights in the City.

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

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

**Resolution No. 12 - Readopting Fiscal Year 2022-23 Capital Fund Budget and Fiscal Year 2022-23 Sewer Fund Budget – Grant Street, Seward Street, and Henry Street Construction Project**

WHEREAS on September 7, 2021, the City Council re-adopted the Fiscal Years 2021-22 Capital Budget to add the Henry Street and Grant Street water main replacement projects at an estimated cost of \$400,000 funded by American Rescue Act of 2021 (ARPA) funds, and

WHEREAS on September 20, 2021, the City Council re-adopted the Fiscal Years 2021-22 Capital Budget to add the Seward Street reconstruction project at an estimated cost of \$850,000 funded by ARPA funds (\$200,000), Community Development Block Grant (CDBG) funds (\$300,000), Consolidated Local Street and Highway Improvement Program (CHIPS) funds (\$150,000) and a transfer from the Sewer Fund (\$200,000), and

WHEREAS on June 6, 2022 the City Council passed a resolution adopting the Fiscal Year 2022-23 Capital Budget which included the Grant Street and Henry Street reconstruction project at an estimated cost of \$1,200,000 funded by ARPA funds (\$695,258), CDBG funds (\$254,742) and a transfer from the Sewer Fund (\$250,000), and

WHEREAS the City's Purchasing Manager and City Engineer recommended City Council accept the bid submitted by Luck Bros. Inc., in the amount of \$2,881,205 which has created a project funding shortfall of budgetary shortfall of \$1,075,000,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby amends the Fiscal Years 2022-23 Capital Budget to amend the projects costs as follows:

Seward Street	\$ 810,000
Grant Street / Henry Street	\$ 2,715,000

and,

BE IT FURTHER RESOLVED that the City Council of the City of Watertown hereby re-adopts the Fiscal Year 2022-23 Sewer Fund Budget to provide the funding for the sanitary sewer portions of the Grant Street, Henry Street and Seward Street reconstruction project and makes the following adjustments in the re-adopted Sewer Fund Budget:

**SEWER FUND**

Appropriated Fund Balance:  
G.0000.0900

Fund Balance	\$ 100,000
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Expenditures:

G.9950.0900	Transfer to Capital Projects Fund (Seward St)	(\$ 75,000)
G.9950.0900	Transfer to Capital Projects Fund (Grant St./Henry St.)	\$ 175,000
Total Expenditures		\$ 100,000

and,

BE IT FURTHER RESOLVED that the City Council of the City of Watertown hereby appropriates additional ARPA funds for the Grant Street, Henry Street and Seward Street reconstruction project as follows:

Seward Street	\$ 59,976
Grant Street / Henry Street	\$ 839,776

**Not Introduced.**

**Resolution No. 13 - Accepting Bid for WTP Exterior Door and Frame Replacement Project from Zerodraft of CNY Inc.**

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

WHEREAS the City desires to replace two (2) single entrance and seven (7) double exterior insulated metal doors located within the Water Treatment Plant, and

WHEREAS the Purchasing Department advertised and received three (3) sealed bids for the WTP Exterior Door and Frame Replacement Project, and

WHEREAS on April 4, 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 Water and Engineering Departments and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Zerodraft of CNY Inc., and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Zerodraft of CNY Inc. in the amount of \$187,500.00, and

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

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

**Resolution No. 14 - Accepting Bid for Barben Avenue, Holcomb Street, Bugbee Drive, and East Street Water Main Replacements Project from Edge Civil Corporation**

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

WHEREAS the City desires to construct and replace water mains and appurtenances located on Barben Avenue, Holcomb Street, Bugbee Drive and East Street, and all other associated work, and

WHEREAS the Purchasing Department advertised and received three (3) sealed bids for the Barben Avenue, Holcomb Street, Bugbee Drive and East Street Water Main Replacements Project, and

WHEREAS on March 27, 2023, at 3:00 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 Edge Civil Corporation, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Edge Civil Corporation in the amount of \$1,597,319.00, and

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

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

**Resolution No. 15 - Approving Golf Course Concession License Agreement with Spokes on the Green, Incorporated**

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

WHEREAS the City of Watertown desires to contract for the use, operation, maintenance and management of food and beverage concession services at Thompson Park Golf Course, and

WHEREAS proposals were solicited through a Request for Proposals (RFP) for providing the food and beverage services at the golf course, and

WHEREAS only one proposal was submitted in response to the RFP by Jamie Danielson of BEL3, INC doing business as Spokes, and

WHEREAS Ms. Danielson has formed a new company named Spokes on the Green, Incorporated to operate the food and beverage concession at the golf course, and

WHEREAS staff is recommending that the right to provide food and beverage services be awarded to Spokes on the Green, Incorporated,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Thompson Park Golf Course Concession Facilities License Agreement with Spokes on the Green, Incorporated, a copy of which is attached and made part of this resolution, 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 in substantially the form attached hereto.

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

Prior to the vote on the foregoing resolution, Council Member Hickey asked if Spokes would need to obtain both an on-premises and off-premises liquor license.

Jamie Danielson, owner of Spokes, explained that they will only need one license to sell alcohol, even for takeout onto the course. She added that they have applied for both a temporary and seasonal license and can make amendments to it as needed.

Council Member Olney questioned why only one vendor replied to the Request for Proposal (RFP).

Mr. Mix informed Council that the RFP was sent to a list of 20-25 vendors.

Council Member Olney went on to speak about the history of the golf course lease of City land and then expressed support for Spokes, stating that this will add to the experience of the Park.

In response to Council Member Pierce's inquiry, Ms. Danielson provided a status update of the liquor license application.

Council Members Pierce and Ruggiero, as well as Mayor Smith, thanked Ms. Danielson and expressed their support.

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

**Resolution No. 16 - Approving Change Order No. 1 for the Division Street East and Thompson Street Water Main Replacement Project with EDGE Civil Corporation**

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

WHEREAS at its October 3, 2022, meeting, the City Council approved a bid from EDGE Civil Corporation in the amount of \$914,790.00 for the Division Street East and Thompson Street Water Main Replacement Project, and

WHEREAS it has been determined that EDGE Civil Corporation would use three Gate Valves and corresponding Gate Boxes, one 8-inch and two 10-inch, that would be provided by the City of Watertown, and

WHEREAS EDGE Civil Corporation has now submitted Change Order No. 1 in the decrease of \$5,885.00,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Change Order No. 1 from EDGE Civil Corporation in the decrease of \$5,885.00, a copy of which is attached and made part of this Resolution, bringing the total contract amount to \$908,905.00, and

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

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

**STAFF REPORTS**

**Sale of Surplus Hydro-electricity – March 2023**

A report was available for Council to review.

**Sales Tax Revenue – March 2023**

A report was available for Council to review.

**NEW BUSINESS**



### **Response to Privilege of the Floor**

Mayor Smith responded to several of the individuals that spoke during Privilege of the Floor. He asked Mr. Mix to review Mr. Sawyer's concerns regarding the intersection of Sherman Street and Iroquois Avenue. He stated that he was glad that Mr. Small's issues were resolved, and he replied to Mr. Traynor that the Globe building is owned by a private developer and is to have apartments on the top floor with retail on the first floor. He asked Mr. Mix to look at Mr. Evans' concerns with Court Street and ensure that proper signage is in place. Regarding Mr. Bonner's issues and the stated damage of \$30,000, he asked if there are copies of invoices to verify the amount. Lastly, in regard to Mr. Kimball's comments, Mayor Smith noted that the sidewalk program is to be discussed and had Mr. Mix present an update on the RFP for legal counsel.

### **Upcoming Meetings and Events**

Council Member Hickey listed several dates to remember: Fair Housing Roundtable at Community Action Planning Council, Petition Signature Challenge at the Board of Education (BOE), New York State BOE Campaign Finance Webinar and Full Alliance Board Meeting at Pivot on April 18; Transportation Commission meeting at CitiBus on April 19; Ballot Positioning Announcement and the tentative Citizens Recovery Ribbon Cutting on April 21; Pivot Earth Day Cleanup meeting and Thompson Park Clean Up Day on April 22; Law and Order Night at the American Legion on April 24; Council Work Session on April 26 and Watertown Local Develop Corp. and Friends of Thompson Park meetings on April 27.

### **CDL Licensing Accelerated Program**

Council Member Hickey advised that Jefferson Community College, in conjunction with the National Tractor Trailer School in Syracuse, will be offering two five-week Commercial Driving Licensing Class accelerated training programs for those looking for employment: one from May 22 through June 27 and the other from July 10 through August 11.

### **DEC Guidance for Bear Encounters**

Council Member Hickey informed Council that the Department of Environmental Conservation (DEC) had issued their yearly guidance on how to reduce conflicts with bears in residential areas and noted further information was available at the DEC website.

### **Drug Issue**

Council Member Hickey advised that the Biden Administration had finally listed the fentanyl/xylazine mixture as an "emerging threat" and noted that he had been concerned about this topic for more than a year. He noted that seven people had died of drug overdoses in Oneida County over the last 30 days, including two on the same day. He provided the latest update from the Jefferson County Medical Examiner (chart on file in the City Clerk's office) and reviewed total overdoses within the City and their location. He stressed the importance of the use of Narcan.

### **Flags in Front of City Hall**

Council Member Hickey requested that the 10<sup>th</sup> Mountain Division flag be flown in front of City Hall.

Mayor Smith advised that it is already flying there.

Council Member Olney expressed his wish for a City of Watertown flag.

### **Changes to Privilege of the Floor**

Council Member Olney mentioned that he would like to be able to respond to comments made during Privilege of the Floor immediately during that portion of the meeting and that he would like a consensus of Council tonight. Noting that someone mentioned that he did not own property within the City, he indicated that he recently does own property and expressed concern over opinions that homeowners have more rights than renters.

There was further discussion regarding changing the Rules of Council allowing Council Member to respond immediately.

### **Vaults on Court Street**

Council Member Olney noted there are vaults under the sidewalk in front of storefronts along Court Street that should be addressed in line with the DRI streetscape project.

### **Leaves on Richards Drive**

In response to Council Member Olney's inquiry, Mr. Mix indicated that the leaves in front of the property owner who expressed concern at the last meeting have been addressed.

### **CSX Rails on Burdick Street**

Council Member Olney said the rails on Burdick Street should be removed since they are no longer used.

### **Ornamental Golf Ball**

Council Member Olney stated that, in his opinion, he does not consider this a theft.

Mr. Mix explained that the attorney sent a letter to Mr. Lundy asking that it be returned to the City.

Attorney Bullard asked that this topic be discussed in Executive Session.

### **Jason Traynor's Petition for Council Seat**

Council Member Olney mentioned that Mr. Traynor publicly accused Council Member Olney's mother of being the person that challenged Mr. Traynor's petition. He indicated that this was not true and asked Mr. Traynor for a public apology.

### **Closure of Two Polling Sites**

Council Member Olney noted that most of the population affected by these changes are either disabled, elderly or have less economic means, making it more difficult for them to vote and he believes this is vote suppression. He also expressed concern that the City owing the County for elections could be affecting this decision to close two polling sites.

### **Golf Course Memberships**

Council Member Pierce stated she has received many inquiries about golf memberships.

Mr. Weller indicated that people should be able to purchase these very soon and he confirmed that there will be an on-line process for this as well. He stated that the goal is to have the golf course open by May 1.

### **Solar Eclipse**

Council Member Pierce mentioned that this will take place one year from now and noted there recently was good media coverage and marketing of the event.

### **Community Office Hours**

Council Member Pierce announced that she will be holding her Community Office Hours on April 30 at Sacred Heart's Dostie Hall.

### **Sidewalk Program**

Mentioning Mr. Kimball's comments during Privilege of the Floor, Council Member Pierce asked if Council could get an update on this program, noting that other municipality's programs were going to be reviewed.

### **Changes to Privilege of the Floor (continued)**

Council Member Pierce said she thinks Privilege of the Floor is intended for the public to have a time to speak and/or vent to Council and it is Council's job to listen to the public, regardless of whether they agree with them. She did suggest that if the individual asks a question that can be simply answered, then Mr. Mix could reply. She stressed that Council should not get into a back-and-forth or argument with the individual speaking.

### **Golf Lessons for Kids**

Council Member Ruggiero asked if the City would be offering golf lessons for kids.

Mr. Weller explained that is the plan for down the road but, at this point, the goal is to get the course open.

### **Urban Mission Victims Panel**

Council Member Ruggiero announced that the Urban Mission Victims Panel will be holding their meeting on April 19 at Fort Drum to benefit soldiers.

### **Tree Planting**

Council Member Ruggiero noted that there will be a tree planting on April 29 at 9:00 a.m. at St. Patrick's Church and encouraged everyone to participate.

### **Changes to Privilege of the Floor (continued)**

Mayor Smith commented that Privilege of the Floor is an opportunity for residents to air their grievances to Council and it is not meant to be a back-and-forth dialogue or debate. He stated that Council is supposed to listen to the public. He said that if a resident has an urgent concern, they should be calling staff and not waiting until the meeting. Citing the NYS law, Mayor Smith advised the only time Council is obligated to respond to questions from the public is during budget public hearings.

### **Update on Golf Clubhouse**

Responding to Mayor Smith questions, Mr. Mix explained that the estimate for the electrical work was over \$35,000, which meets the threshold requirements for sealed bids. He said they have been sent out and are due back on April 27.

### **Leaves and Street Cleanup**

Mayor Smith noted that DPW crews are out doing a good job cleaning up.

**Answers to Golf Course Purchase and Hydro Plan**

Mayor Smith stated that he is still waiting to hear the answers to the questions about the golf course purchase and hydro plan.

**Motion was made by Council Member Lisa A. Ruggiero to move into Executive Session to discuss proposed, pending or current litigation and to discuss proposed acquisition, sale or lease of real property.**

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

Council moved into Executive Session at 9:04 p.m.

Council reconvened at 9:51 p.m.

**A D J O U R N M E N T**

**At the call of the chair, meeting was duly adjourned at 9:51 p.m. by motion of Council Member Lisa A. Ruggiero, seconded by Council Member Patrick J. Hickey and carried with all voting in favor thereof.**

*Ann M. Saunders*  
City Clerk