

**CITY COUNCIL MEETING
CITY OF WATERTOWN
September 7, 2021
7:00 p.m.**

Mayor Jeffrey M. Smith Presiding

Present: Council Member Sarah V.C. Pierce
Council Member Ryan J. Henry-Wilkinson
Council Member Lisa A. Ruggiero
Council Member Leonard G. Spaziani
Mayor Jeffrey M. Smith

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

City staff present: Michael Lumbis, Michael Delaney

The City Manager presented the following reports to Council:

- Resolution No. 1 - Designating the City Manager as Responsible Local Official (RLO) for City Projects for Equitable Business Opportunities (EBO) Software
- Resolution No. 2 - Accepting Bid for Parks and Recreation Ice Resurfacer, J&C Ice Technologies Inc.
- Resolution No. 3 - Accepting Bid for Cooper Street Outfall Sewer Improvement Project, Powis Contracting Inc.
- Resolution No. 4 - Readopting Fiscal Years 2021-22 through 2025-26 Capital Budget
- Resolution No. 5 - Readopting Fiscal Year 2021-22 General Fund Budget
- Tabled Resolution - Authorizing Granting of American Rescue Plan Act Funds to Hospice of Jefferson County
- Sales Tax Revenue – July 2021
- Sale of Surplus Hydro-electricity – July 2021
- Board and Commission Appointments

Complete Reports on file in the office of the City Clerk

Meeting opened with a moment of silence and Mayor Smith asked that it be in remembrance of the following people who passed away in recent weeks: Gary Gerken (active community member), Lori Renzi Gadsden (Judge Eugene Renzi and Judge David Renzi's sister), Ida Alteri (Council Member Spaziani's sister) and Mary Clemo Smith (Mayor Smith's mother).

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of August 16, 2021, was dispensed and accepted as written by motion of Council Member Ryan J. Henry-Wilkinson, seconded by Council Member Lisa A. Ruggiero and carried with all voting in favor thereof.

C O M M U N I C A T I O N S

No communications.

PRIVILEGE OF THE FLOOR

Jason Traynor, 142 Mechanic Street, spoke of concerns he has with Midtown Towers and Watertown Housing Authority. He stated that background checks are not done properly, and some new tenants are drug users and have brought in bedbugs and cockroaches. He asked for Council's assistance with this.

Randy Elie, 247 Elm Street, read from a prepared statement regarding concerns of vermiculite used in insulation, which contains asbestos and is very expensive to remove. He indicated that he recently purchased a home which contains vermiculite insulation and discussed the cost for removal and the additional fees that New York State charges for the process. He hopes the government would address this problem for homeowners and that real estate agents would be more knowledgeable regarding this.

Jonathan Phillips, 735 Mill Street, spoke to Council regarding an updated bus route schedule, expanded bus hours and his concerns with grass clippings being put into the streets and ending up in the stormwater drains. Lastly, he discussed the City's homeless problem and the need for pest control in apartment complexes.

RESOLUTIONS

Resolution No. 1 - Designating the City Manager as Responsible Local Official (RLO) for City Projects for Equitable Business Opportunities (EBO) Software

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City of Watertown has Projects eligible for funding under Title 23 U.S. Code, as amended, and

WHEREAS NYS DOT requires that the Equitable Business Opportunities (EBO) software be used to track data for the project, and

WHEREAS NYS DOT requires the appointment of a Responsible Local Official (RLO) and Project Manager (PM),

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby designates the City Manager as the Responsible Local Official (RLO), and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute the Request for EBO System Log-in/Password, a copy of which is attached and made part of this resolution.

Seconded by Council Member Lisa A. Ruggiero and carried with all voting yea.

Resolution No. 2 - Accepting Bid for Parks and Recreation Ice Resurfacer, J&C Ice Technologies Inc.

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City Purchasing Department has advertised and received sealed bids for a Parks and Recreation Ice Resurfacer, as per City specifications, and

WHEREAS bid invitations were also issued to qualified bidders with one (1) sealed bid submitted to the Purchasing Department, and

WHEREAS on Wednesday, August 25, 2021, at 11:00 a.m., the bid received was publicly opened and read, and

WHEREAS City Purchasing Manager Dale Morrow reviewed the bid received with P&R, and it is their recommendation that the City Council accept the bid submitted by J&C Ice Technologies Inc, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, accepts the bid submitted by J&C Ice Technologies Inc as the lowest qualifying bidder meeting our specifications in the amount of \$111,910.

Seconded by Council Member Lisa A. Ruggiero

Prior to the vote on the foregoing resolution, Mayor Smith mentioned that the bid came in under budget.

In response to Council Member Henry-Wilkinson's statement that the City only received one bid, City Manager Ken Mix noted that this is a specialized piece of equipment so there are not many companies that sell it.

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

Resolution No. 3 - Accepting Bid for Cooper Street Outfall Sewer Improvement Project, Powis Contracting Inc.

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City Purchasing Department has advertised and received sealed bids for Cooper Street Outfall Sewer Improvement Project, as per City specifications, and

WHEREAS bid invitations were also issued to BidNet and plan houses with four (4) sealed bids submitted to the Purchasing Department, and

WHEREAS on Thursday, August 26, 2021, at 11:00 a.m., the bids received were publicly opened and read, and

WHEREAS the City Purchasing Department reviewed the bids received with City Engineering, and it is their recommendation that the City Council accept the bid submitted by Powis Contracting Inc. in the amount of \$326,269.16, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid of Powis Contracting Inc. in the amount of \$326,269.16 for Cooper St Outfall Sewer Improvement Project as the lowest qualified bidder meeting our specifications, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to sign all contracts associated with implementing the award to Powis Contracting Inc.

Seconded by Council Member Lisa A. Ruggiero

Prior to the vote on the foregoing resolution, Mayor Smith asked if this project was to be paid for through American Rescue Plan Act (ARPA) funds.

Mr. Mix explained that this project was in the budget to be paid for by the sewer fund and a bond for the general fund portion. He stated that ARPA funds could be used for the general fund portion, if Council agreed, and a budget amendment resolution could be presented at a future meeting. He clarified that the general fund portion would be approximately \$163,000.

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

Resolution No. 4 - Readopting Fiscal Years 2021-22 through 2025-26 Capital Budget

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS on May 24, 2021 the City Council adopted the Fiscal Years 2021-22 through 2025-26 Capital Budget, and

WHEREAS the City was awarded \$22,265,728 in funding from the American Rescue Plan Act of 2021, and

WHEREAS City Council discussed at the work session on August 9, 2021 funding certain water infrastructure projects from the American Rescue Plan, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby amends the Fiscal Years 2021-22 through 2025-26 Capital Budget to include in the FY 2021-22 Capital Budget the following projects:

Barben Ave/Holcomb St/Bugbee Dr	\$1,400,000
Division Street East Water Main	\$ 500,000
East Street Water Main	\$ 200,000
Henry Street/Grant Street Water Mains	\$ 400,000
Ohio Street Water Main	\$ 900,000
Pratt Street Water Main	\$ 650,000
Seward Street Water Main	\$ 200,000
Thompson Street Water Main	\$ 350,000
Tilden Street Water Main	\$ 400,000
Winslow Street Water Main	\$1,000,000

Seconded by Council Member Lisa A. Ruggiero

Prior to the vote on the foregoing resolution, Council Member Spaziani mentioned that Burlington Street and Seward Street will be complete street reconstruction and questioned when they would be done. He stressed that they are undersized for fire protection so he would like to see them completed soon and should not be pushed off down the road.

Mr. Mix explained the proposed timeline for each of these projects and noted that the full list of ARPA projects will be completed over the next three to four years. He explained that it takes time to put the specs together and put them out to bid, as well as do the design process. He indicated that it is possible to do the water lines on Burlington Street and Seward Street and then come back later to do the complete street reconstruction.

Agreeing that it takes time to design these projects, Mayor Smith commented that the street would have to be torn up for the water line and repaired, and then crews would have to return at a later date to do the complete street reconstruction versus doing all the work at one time while the street is torn up for the complete street reconstruction. Mentioning that there are people in the public that feel the northside of the City gets neglected, Mayor Smith reviewed the list of proposed projects and pointed out that five out of the ten are on the northside.

Discussion turned to whether this budget amendment resolution should be amended to include the Cooper Street Outfall funding through ARPA funds, and it was decided that it could remain as is and a resolution would be presented at the next meeting.

Council Member Spaziani noted that only \$7.8 million out of the \$11 million have been allotted and wondered what else the funds would be used for.

Mr. Mix stated that there will be more discussion with Council regarding the remaining funds.

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 2021-22 General Fund Budget

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS on May 24, 2021 the City Council passed a resolution adopting the Budget for Fiscal Year 2021-22, of which \$46,539,384 was appropriated for the General Fund, and

WHEREAS the City was awarded \$22,265,728 in funding from the American Rescue Plan Act of 2021, and

WHEREAS urban tree canopy programs which aid in stormwater management are an allowable use of the American Rescue Plan Act of 2021 funds,

NOW BE IT RESOLVED that the City Council of the City of Watertown hereby re-adopts the General Fund Budget for Fiscal Year 2021-22 and makes the following adjustments in the re-adopted General Fund Budget:

GENERAL FUND

A.0000.4960	Federal Aid – American Rescue Plan Act of 2021	<u>\$ 50,000</u>
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Expenditures:

A.5010.0140	DPW Municipal Maintenance– Temporary	\$ 4,250
A.5010.0430	DPW Municipal Maintenance– Contracted Services	\$ 33,000

A.5010.0460	DPW Municipal Maintenance– Materials and Supplies	\$ 12,000
A.5010.0810	DPW Municipal Maintenance– Retirement	\$ 325
A.5010.0830	DPW Municipal Maintenance– Social Security	\$ 425
Total Expenditures		<u>\$ 50,000</u>

Seconded by Council Member Lisa A. Ruggiero

Prior to the vote on the foregoing resolution, Council Member Henry-Wilkinson mentioned the staff memo asks Council to decide whether it would like to use additional ARPA funds for tree pruning and management.

Mr. Mix explained staff's suggestion for allotting \$50,000 of ARPA funds to be paired with the already secured grant funding of \$40,000 for the purpose of pruning and preventative maintenance work, noting it is an approved use of ARPA funds.

Council concurred with this recommendation.

Council Member Henry-Wilkinson noted this is a good way to fill gaps within the canopy.

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

OLD BUSINESS

Resolution - Authorizing Granting of American Rescue Plan Act Funds to Hospice of Jefferson County *(Introduced on 7/19/2021; tabled; appears in its entirety in the 2021 Minutes Book on page 6-8 of the 7/19/2021 minutes).*

Mayor Smith announced there was a point of order to be explained by the City Attorney in regard to this tabled resolution.

Attorney Slye explained that Robert's Rules of Order sets time limits to removing a resolution from the table. He read directly from Robert's Rules of Order and summarized that the resolution was tabled on July 19 and remained tabled for the two meetings in August so therefore, by Robert's Rules, it exceeds the time limit to take it from the table and the question dies. He added that nothing prohibits the question from being reintroduced.

Resolution Remained Tabled Beyond the Time Limit for a Motion to Take From the Table.

Motion was made by Council Member Leonard G. Spaziani to reintroduce the Resolution Authorizing Granting of \$445,000 of American Rescue Plan Act Funds to Hospice of Jefferson County for the Same Purpose as Originally Requested.

Motion was seconded by Council Member Lisa A. Ruggiero.

Rules waived by Motion of Council Member Lisa A. Ruggiero, seconded by Council Member Leonard G. Spaziani and carried with all voting in favor thereof.

Council Member Spaziani expressed his support for providing Hospice with the ARPA funding.

At the call of the chair, a vote was taken on the foregoing resolution and defeated with all voting nay, except Council Member Lisa A. Ruggiero and Council Member Leonard G. Spaziani voting yea.

STAFF REPORTS

Sales Tax Revenue – July 2021

A report was available for Council to review.

Sale of Surplus Hydro-electricity – July 2021

A report was available for Council to review.

Board and Commission Appointments

Mayor Smith stated that if any Council Member knows of someone interested in serving on these boards, they should bring their name forward. He also encouraged any resident interested in serving to submit their name for consideration.

NEW BUSINESS

Transportation Work Session

Council Member Henry-Wilkinson asked if the topic of transportation was scheduled for this month's work session.

Mr. Mix explained that it might need to be pushed back to October because this month's work session contains the Board of Elections discussion, further ARPA funds discussion and a presentation from Allison Gorhman.

Midtown Towers Concerns – Privilege of the Floor

Council Member Henry-Wilkinson asked when Midtown Towers were last inspected.

Mr. Mix explained that it was inspected after the last meeting when Mr. Traynor raised concerns and his apartment has been fumigated.

Council Member Ruggiero added that she sent a message to Mr. Robare, Watertown Housing Authority, while Mr. Traynor was speaking, and she will discuss with him further about this problem after the meeting.

Hydro Committee

Council Member Pierce provided Council with an update of the last Hydro Committee meeting, stating that the Energy Consultant was very informative and contracting with him was a good investment.

Council Member Spaziani commended the committee members, in particular former Mayor Butler, for the time and work they are putting into this. He added that he would not support selling the hydro plant, stressing it was an asset to the City.

DRI Public Art Project

Council Member Pierce stated there was a meeting regarding this recently in which they were finalizing what to put out to local artists and they are looking for ideas to best publicize it.

Condolences

Council Member Ruggiero offered her condolences to Mayor Smith and Council Member Spaziani for the recent passing of both their family members.

Overdose Awareness Day

Council Member Ruggiero announced that this event will be held in front of City Hall on Wednesday, September 15 at 12 p.m. – 1 p.m. She expressed disappointment in the number of overdoses and that it continues to rise.

Cleanup of the Monument in the Park

Council Member Ruggiero stated that Tuesday, September 21, the Realtors group will be cleaning the monument in the Park as a community event.

Vermiculite Insulation – Privilege of the Floor

Council Member Ruggiero said she hoped that this gentleman used a licensed home inspector, noting that she tries to point this out to homebuyers if she sees it and recommends that anything suspicious be tested. She agreed that education for realtors would be useful.

Alteri Pool Repairs

Council Member Spaziani asked if the bid for the repairs to the Alteri Pool would be coming before Council soon.

Mr. Mix stated that he is not sure if the amount will meet the threshold for a bid requirement and assured Council Member Spaziani that the project will proceed with the intent of having it done by the next swimming season.

Concert in the Park

Noting that the Noon Rotary was not able to fund the Concert in the Park this year, Mayor Smith said he would like this event to continue and would like to work with the Rotary group to do the fundraising for the future events.

Roswell P. Flower Monument Maintenance

Mayor Smith mentioned that the monument has been falling into disrepair and wondered if there were any funds still available in the Flower Account, noting it was managed by Rande Richardson.

Planning and Community Development Director Michael Lumbis explained the balance that was leftover after the initial fundraising was used for cleaning for the first few years. He explained that some DRI money can be used on improvements to protect it, but cleaning might be something that should be budgeted for in the future.

Motion was made by Council Member Ryan J. Henry-Wilkinson to move into Executive Session to discuss proposed, pending or current litigation and collective bargaining.

Motion was seconded by Council Member Lisa A. Ruggiero and carried with all voting in favor thereof.

Council moved into Executive Session at 7:53 p.m.

Council reconvened at 8:14 p.m.

A D J O U R N M E N T

At the call of the chair, meeting was duly adjourned at 8:14 p.m. by motion of Council Member Ryan J. Henry-Wilkinson, seconded by Mayor Jeffrey M. Smith and carried with all voting in favor thereof.

Ann M. Saunders
City Clerk