

**CITY COUNCIL WORK SESSION
CITY OF WATERTOWN
November 10, 2025
7:00 p.m.**

Mayor Sarah V.C. Pierce Presiding

Present: Council Member Robert O. Kimball
Council Member Clifford G. Olney III
Council Member Lisa A. Ruggiero
Council Member Benjamin P. Shoen
Mayor Sarah V.C. Pierce

Also Present: Eric F. Wagenaar, City Manager
Kristen E. Smith, Bond, Schoeneck & King PLLC, City Attorney (via teleconference)

City staff present: James Mills, Dan VanKouwenberg, Michael Lumbis, Scott Weller, James Scordo, Erica Anderson

DISCUSSION

City Charter Revisions to the Property Tax Enforcement Process

City Comptroller James Mills advised Council that the purpose of this presentation was to offer a broad brush look at how the City Charter must be modified to comply with a recent Supreme Court decision. He explained that Tyler v. Hennepin prohibits a municipality from keeping the excess funds when it takes possession of a property with unpaid taxes and the property is worth more than the value of the outstanding debt. He noted the City's previous process of selling tax certificates to third parties by public auction has been on hold while the City awaited the outcome of the court case at the State level. Mr. Mills advised that the proposed changes to the Charter will make the tax enforcement process more like a foreclosure process and will be more judicial and he noted the timeline will be similar to the tax certificate process.

Mark Costello, Attorney for Bond, Schoeneck & King, who was in attendance via video conferencing, was introduced to explain the process further. He informed Council that the process will resemble a mortgage foreclosure sale with proceeds going to the City for back taxes as well as for various fees such as court fees, postage and stationery. He noted any surplus monies would be held in trust. He commented this action will be an overall fairer and more moderate way of handling properties.

Attorney Kristen Smith clarified that all additional expenses will be rolled into the foreclosure fees and will not become part of the City's legal fees.

Council Member Olney asked how the process was different from the City's current process, other than complying with the new law.

Attorney Costello advised that the City will no longer be selling tax certificates to third parties.

Attorney Smith explained that compared to the previous methods of auctioning the property, the new method will reduce City liability.

In response to Council Member Olney's question of when the new method would take effect, Mr. Mills advised that once the changes to the Charter are made, the new process would mirror the tax certificate process, and he indicated that properties with outstanding taxes as of June 30 will get 18 months to pay the back taxes before the foreclosure process commences. He noted the foreclosure process would take an additional five to six months.

Council Member Olney asked if this was how Jefferson County handed its delinquent taxes and commented that he did not understand how the new process was any better.

Mr. Mills stated that he would not be able to respond to questions about the County's methods.

Addressing Council Member Olney's comment about the process not being better, Attorney Costello explained that the new method complied with the law.

Mr. Mills noted that not only did the proposed changes comply with the Supreme Court decision, but they are more beneficial to the property owners.

Attorney Costello commented that he was surprised it had taken this long for the tax certificate process to be challenged.

In response to Council Member Ruggiero's query of whether unclaimed trust proceeds from property sales would go to the State, Attorney Costello said that the money would go to the City.

Mr. Mills explained that unclaimed funds would be held in escrow.

Attorney Costello clarified that the money would be held for three to five years and then revert to the City.

Council Member Kimball asked if this was the new way most municipalities handled their tax enforcement.

Attorney Costello replied that most municipalities have their own tax laws which comply with Article 11.

Attorney Smith clarified that Watertown is one of many cities that opted out of Article 11 decades ago. She commented that auctioning tax certificates is an outdated process and the new method will be better for all parties.

In response to Council Member Olney's question whether there were any outstanding tax certificates which would need to be dealt with retroactively, Mr. Mills replied that there were none.

Council Member Olney asked when the proposed changes take place.

Mr. Mills advised that he and the attorneys were currently re-writing the drafts of the proposed changes to the Charter and that they hope to have it for Council to vote on in December.

In response to Council Member Olney's question of whether these changes would interfere with the Charter Commission process, Attorney Smith advised they were separate.

Council Member Shoen asked for clarification on how long the new process would take compared to the tax sale certificate process.

Mr. Mills indicated that it was about the same.

In response to Council Member Shoen's concerns that the City will now be holding the delinquent properties and receiving no funds, Mr. Mills responded that in the auction process the City has always been left with the delinquent properties on which taxes were least likely to be paid.

Attorney Costello replied that the old system had an inherent unfairness and did not work.

Attorney Smith clarified that, in the past, buyers were bidding on taxes owed and now they would be bidding on the value of the property and noted this more closely resembles the selling price of the property. She indicated that early on in discussions regarding updating this procedure, they attempted to keep the tax certificate process, but it proved to be too difficult to shoehorn a fix into an old system in order to comply with the new ruling.

Council Member Shoen expressed concern that holding the delinquent taxes will be a large cost to the City and inquired about the additional fees which would be added to the tax bill.

Attorney Costello gave an example of a property in Monroe County, where he is located, and the additional fees were \$526, noting that the additional fees would not be thousands of dollars.

Attorney Smith clarified that the fees would be slightly higher here as the fees are divided between the number of parcels and Watertown is a smaller municipality.

In response to Council Member Kimball's inquiry as to how long our tax certificate process has been paused, Mr. Mills said it had been paused for two years.

Attorney Costello advised Council that the proposed Charter changes simply deal with City procedure in collecting taxes.

Attorney Smith stated that the purpose of this change is not only to make sure the City of Watertown gets paid, but to treat all parties the same during the process, including property owners, lien holders and the City.

Council Member Shoen asked if it was legally possible to advertise delinquent properties which will be available for sale, suggesting this could make it possible for someone to come to an arrangement before the property gets as far as the foreclosure process.

Attorney Smith advised that she made a note to look into this possibility.

Community Forest Management Plan Implementation and Tree Management in Disadvantaged Community Grant Update \$550,000 Award

City Forester Dan Van Kouwenberg introduced himself to Council and listed his credentials and goals for the City's trees. He presented an overview of the implementation of the Tree Management Grant that included a timeline. He explained the term "disadvantaged community" and displayed a map of areas that are eligible, which included most of the City.

Mr. Van Kouwenberg informed Council of some changes he had made since taking the position in June particularly regarding treatment of Emerald Ash Borer infestation. He noted he was certified to perform this work himself and could train staff, which would eliminate the need to contract out for this service.

Indicating this was the second year of a three-year grant, Mr. Van Kouwenberg advised that the next public outreach would be at Hilltop Towers on November 20.

Planning and Community Development Director Michael Lumbis advised that the State had delays in funding but kept the grant period the same. He added that the City was still in pretty good shape.

Mayor Pierce asked if, once City crews were trained on Emerald Ash Borer treatment, if the training service could be offered to surrounding communities.

Mr. Van Kouwenberg said that service could be offered.

City Manager Eric Wagenaar noted that currently the City Forester is pretty busy, but it could be something offered in the future, perhaps in partnership with the County.

Council Member Olney complimented improvements made in Thompson Park with the buckthorn removal.

Golf Course

Parks and Recreation Superintendent Scott Weller presented Council with a recap of the City's golf season as well as his proposals for the direction of the course going forward. He indicated that when the City's Golf Course Manager left in June, it was decided to go through the season without hiring a new manager. He advised that staff are not recommending this going forward.

James Scordo, program manager, informed Council that after a wet May, the weather was phenomenal, with the course only closing early twice due to rain. He noted 160 season passes were sold.

Mr. Weller drew Council's attention to a handout listing the 2023, 2024 and 2025 seasons' costs and revenues. He indicated that, although the course still operated at a loss, the bottom line had improved in 2025.

Mr. Mills cautioned that there are still some unemployment costs and vendor invoices coming in that will affect that final number.

Mr. Weller advised Council that tournaments do not generate much additional revenue for the City and their main benefit is to concessions.

Mr. Scordo cited additional costs during larger tournaments resulting from the City having to rent extra carts to accommodate the additional players.

Mr. Weller presented four operational models going forward – the original model, the basic municipal model, a hybrid model and a lease option – and cited the concerns and benefits of each. He commented that staff are not currently recommending the lease option, as more time is needed to decide on the course's value to the City.

Mr. Weller informed Council that it is important to bear in mind that despite staff's efforts to minimize operating expenses, there will be necessary facility and equipment upgrades required in the near future.

The difference between a tournament and an outing was explained.

In response to Council Member Olney's question of whether the facility upgrades included the addition of carts, Mr. Weller indicated that the current carts would be replaced as needed and there would need to be more discussion about renting them from outside resources.

Mayor Pierce asked if records were kept on the golfers so the City could solicit their opinions on what the public would like to see happen with the City's course. She volunteered to assist in the creation of a survey.

Mr. Scordo indicated they had contact information on all members.

Council Member Ruggiero asked about the possibility of trading in old golf carts for new ones or auctioning them to the public and also questioned the potential of leasing carts for the season.

Mr. Weller noted that those were all viable options.

In response to Mayor Pierce asking when staff needed to have Council's decision on which option should be used going forward, Mr. Weller said they would appreciate a decision as soon as possible, especially so they can set up tournaments and arrange concessions.

Council Member Kimball asked why so few season passes were sold.

Mr. Scordo indicated that most season passes are sold at the beginning of the season and sales were hampered by an extremely wet May.

Mr. Weller added that season passes were also down compared to prior years when the City course had an intermunicipal agreement with the schools, and he noted there was no such agreement this year.

Council Member Kimball questioned the possibility of raising rates to increase profitability without driving people away.

Mr. Weller replied that once a model is chosen, staff can look more closely at rates.

In response to Council Member Ruggiero's question about "early-bird" rates, Mr. Weller said those could be offered and would also be investigated once an operational model was selected.

Council Member Ruggiero cited public uncertainty about whether the golf course would close and general negativity as a possible deterrent to selling memberships. She commented that all City assets lose money. She expressed concerns about the leasing option noting it might require home rule legislation.

Mayor Pierce clarified that leasing is not an option the City intends to pursue at this time.

Mr. Weller concurred that staff were not recommending leasing.

Mr. Wagenaar suggested Council consider that once an operational model is selected, Council also consider whether they want to choose the model for another three years or for a different time period.

Council Member Kimball advised, referring to Council Member Ruggiero's earlier comments, that he has not heard any negative comments about the course and noted the real question posed to Council is how much the City should be willing to spend to have a City golf course.

Council Member Ruggiero clarified that the negativity stems from people who do not think the City should own a golf course, and not about the condition of the course.

Council Member Shoen commented that he found the course to be in excellent condition. He suggested that staff make reservations for tournaments and plan for concessions and the pro shop since the City has the intention of the course being open. He further suggested a way to save money would be to limit tournament size to avoid the expense of renting extra carts.

Council Member Ruggiero asked if there was any potential for grant money since the course was on park land.

Mr. Weller offered to look into it.

Council Member Ruggiero indicated that the previous golf course manager had suggested hole sponsorships and asked if this was still being considered.

Council Member Shoen commented that he would be willing to sponsor a hole and thought many businesses would be interested. He also suggested looking into corporate membership rates.

Council Member Olney suggested half-season passes.

Regarding Council Member Ruggiero's suggestion of asking Fort Drum to host a tournament, Mr. Wagenaar said he could reach out to them.

Council Member Olney stated that he had looked at all the different ways to handle the golf course and felt a golf course manager (the original option) was the best method.

Ruggiero added her support for going with the original model.

Approving the Support of Fort Drum as Candidate Site for the Department of War's Advanced Nuclear Microreactor Initiative and Collaboration with NYSREDA and NYPA

City Manager Wagenaar presented a draft of a resolution proposed by Assemblyman Scott Gray for Council Members to review before it is officially brought up for a vote on November 17. He explained it requests Council's support for nuclear development at Fort Drum and in the north country.

Hunt Street Leak

Mr. Wagenaar thanked the Water Treatment Facility team and the Water Department for the work they did on the inflow water main break. He listed specific staff members and thanked them for spending much of Saturday with the Hunt diver team to temporarily seal that leak. He noted that they would wait seven days to see how that temporary fix holds up.

System Decisions

Mr. Wagenaar announced that decisions had been made on both a new financial management system and a new phone system.

U. S. Marine Corps

Mr. Wagenaar congratulated the Corps on the occasion of its 250th anniversary and thanked them for their service to our country.

Veterans Day

Mayor Pierce advised that Tuesday, November 11 is Veterans Day and reminded Council that a service would be held at 10 a.m. at the VFW. She also noted that City Hall would be closed that day.

Work session ended at 9:23 p.m.

Lisa M. Carr

Deputy City Clerk