

**ADJOURNED CITY COUNCIL MEETING  
CITY OF WATERTOWN  
April 9, 2012  
7:00 P.M.**

**Mayor Jeffrey E. Graham Presiding**

**Present:** Council Member Roxanne M. Burns  
Council Member Joseph M. Butler, Jr.  
Council Member Teresa R. Macaluso  
Council Member Jeffrey M. Smith  
Mayor Graham

**Also Present:** Mary M. Corriveau, City Manager  
Robert J. Slye, City Attorney

**City staff present:** Elliott Nelson, Chief Goss, Ken Mix

The City Manager presented the following reports to Council:

- Resolution 1 – Approving Lease Agreement, Watertown Wizards, Inc.
- Destination Marketing, Thousand Island International Tourism Council
- Dog Related Issues
- Woolworth Building Redevelopment
- Executive Session

Mayor Graham opened the meeting with a moment of silence for the passing of David Bush, who served on the Board of Assessment review.

**Resolution 1 – Approving Lease Agreement, Watertown Wizards, Inc.**

**Introduced by Council Member Joseph M. Butler Jr.**

WHEREAS the City of Watertown owns a facility known as the Alex T. Duffy Fairgrounds and the Fairgrounds are a community recreational facility, and

WHEREAS the City desires to promote future recreational activities at the Fairgrounds for the valid public purpose of the benefit, recreation, entertainment, amusement, convenience and welfare of the people of the City, and

WHEREAS in pursuit of that public purpose, the City desires to contract for the use, operation, management and maintenance of the Fairgrounds baseball facilities and all baseball-related activities, and

WHEREAS Watertown Wizards, Inc., owns and operates a summer collegiate baseball team, as a member and franchise of the Perfect Game Collegiate Baseball League, and

WHEREAS Watertown Wizards, Inc., desires to have its team play baseball games within the confines of the Fairgrounds baseball fields and is in a unique position to contract to use, operate, manage and maintain the Fairgrounds baseball facilities, and

WHEREAS the City has undertaken a substantial capital improvement project for the Fairgrounds in furtherance of the public purpose of keeping baseball in the City for the recreation, entertainment, and welfare of the people of the City, including the economic benefit such a team can bring,

NOW THEREFORE BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute the Lease Agreement on behalf of the City of Watertown, a copy of which is attached and made a part of this resolution

**Seconded by Council Member Teresa R. Macaluso**

**Rules were waived by motion of Council Member Smith, seconded by Council Member Butler and carried with all voting in favor thereof.**

Prior to the vote on the resolution, Mayor Graham noted that before Council was the revised contract with the Wizards and wished to thank staff for their work on the subject. Two major changes, he noted, included the elimination of the requirement to pay the City ten percent on food and non-alcohol concessions and replacing it with a flat fee of \$2,500. He added the other change involved the serving times for alcohol.

Mrs. Corriveau said that is correct and mentioned other language in the contract covers the City should non-Wizard events be held at the lease premises that have attendance of over 1,000. She said if attendance reaches 1,000 the City will receive another \$1,000 and if 2,000 people attend, the City will be paid \$2,000.

Mayor Graham said he thinks this is a good arrangement which compensates the City.

**Discussion Items:**

**Destination Marketing, Thousand Island International Tourism Council- Gary DeYoung, Director of Tourism**

Mr. DeYoung addressed the Chair, reviewing the background of the Tourism Council. He handed out materials to Council and highlighted various points, including history and challenges and opportunities. Mr. DeYoung brought Council's attention to another handout showing Watertown and Fort Drum lodging growth from 2006-2012 in the greater Watertown area. He pointed out another graph showing Watertown gross taxable room sales by year in the City. The gross sales grew from just over four million dollars in 2001 to nearly fourteen and a half million

dollars in 2011, he explained. In addition, he referred to another chart reflecting numbers which show a growth of room sales in summer and fall months.

He reviewed the Core Programs for the 2012-13 season with Council to not only maintain current marketing but to start thinking about where the City would like to be in the next year for Watertown branded marketing.

Council Member Butler inquired about the source of the figures in the previous charts and graphs.

Mr. DeYoung replied that they are extrapolated from occupancy sales tax collections. He continued to review various materials in the informational packet focusing on the 2012 Summer Marketing Program for TV and internet advertising. He also showed the City's advertisement in the International Travel Guide. Mr. DeYoung noted that a new focus is on E-marketing.

Mayor Graham inquired if print materials are still a draw in the Internet age.

Mr. DeYoung noted that Internet and print material are balanced and the travel magazine in the packet is in very high demand. He said that another project which will be continued is the Seaway Trail publication. When all projects are added up in the Core Program the total is \$41,850, he said. He then explained the goals for expanded Watertown-branded destination marketing and which programs he would like to see increased. Included in that is the Fall Shop and Stay Campaign, which he would like to have increased from \$45,000 to \$60,000. Another new program he would like to see is a Spring/Winter break campaign. He noted it is important to take advantage of school breaks and long weekends, such as this one, as Canadians have Easter Monday as a holiday. Ithaca, he said, does a good job in that regard. He suggested working with the zoo and family oriented activities in the City and pool together a good package. Mr. DeYoung continued to review goals including drawing people for meetings and conferences, sports events and motor coaches. Also on the list is outreach for AAA/CAA to let those organizations know the expanded availability of hotels in the area. He mentioned working with the Chamber of Commerce to expand discussions and include other points of interest.

Mayor Graham said discussions on so-called bed tax projections will need to be done at a future meeting.

Council Member Burns inquired about the 28% figure regarding taxable room sales and inquired if that was attributed to the shop and stay program.

Mr. DeYoung replied that while he would love to take the credit for it, it really is a mix of consumers because it is still construction season and it is a good shopping season. He mentioned an anecdote of a couple who come to scout out hotels for the Thanksgiving shopping break. He added that the fall is also a good conference time but that the City could do a much better job of drawing people for that purpose.

Council Member Burns said she had some downtown business people tell her that they felt the shop and stay program enhanced their business and would encourage the City to put more funds toward that and would encourage that program.

Mr. DeYoung said some funding was redirected toward Watertown promotion for shopping, mentioning the Ottawa Citizen who had a program to donate hotel packages.

Council Member Burns added that in light of promotions with Carousel Mall and their new stores that this is money well spent to draw consumers to Watertown.

Mayor Graham questioned how much of the Canadian shopping market is in direct relation to the exchange rate.

Mr. DeYoung replied it is a matter of opportunity, but that a good exchange rate is number one. Another valid issue is the ease of crossing the border and making sure people know they can make the trip and Watertown is their destination.

Mayor Graham noted there is always competition and that one of the goals is to create or build things that are attractive to visitors, noting a new emphasis on the arena. As the debate goes on with hoteliers, he said, it is the prerogative of the legislative body to appropriate funds.

Mr. DeYoung commented that he feels it is part of his role to do marketing to bring programs together.

Council Member Smith noted that DPAO has a market in Canada and outside the county.

Mr. DeYoung said a coalition of performing arts presenters in the St. Lawrence Valley called the Thousand Islands Theater Experience, organized primarily by Canadian partners, help draw people to the area. He said the Clayton Opera House and DPAO are sponsored into that program.

Council Member Butler and Council Member Macaluso asked what the figure was for the program last year.

Mr. DeYoung replied it was approximately \$35,000.

Council Member Butler asked which season will be targeted to increase consumer volume.

Mr. DeYoung said it is an easier sell in the summer, a harder sell in the winter. He suggested putting more money into the Fall and Spring seasons.

Council Member Butler suggested utilizing the Irish Fest as a selling point for spring travelers.

## **Dog Related Issues**

Mayor Graham welcomed Chief Goss, Attorney Christina Stone and Dog Control Officer Todd Cummings to speak to Council about recent dog attacks and issues. He questioned if this is an enforcement issue.

Mr. Cummings replied that he is unsure if this is an enforcement issue. He handed out a list of statistics regarding dog bites and attacks in 2011 and 2012. Mr. Cummings reviewed the incidents with Council noting there have been 16 dog bites to date in the City.

Mayor Graham inquired if dog bites are required to be reported.

Mr. Cummings said every bite has to be reported, and medical providers are mandated reporters. It eventually goes to his office for investigation, he said. Mr. Cummings reviewed incidents from 2011, pointing out two serious attacks on people including the attack at the Farmer's Market and one on Franklin Street. He added that there were 73 dog bites as well for that year.

Council Member Macaluso noted that 73 seems to be a big number for bites.

Mr. Cummings replied that for the whole year there were 227 bites in the County.

Council Member Smith inquired about data on the severity of bites.

Mr. Cummings said the bites range from an abrasion to major damage. Due to medical regulations, he said, he does not have more information on the incidents.

Council Member Macaluso asked if any of the dogs are repeat offenders.

Mr. Cummings replied that that is an issue because people do move around the County and in and out of the City.

Council Member Burns asked about the hours the Dog Warden is available to respond to a call.

Mr. Cummings said they are open Monday thru Thursday, 8 a.m. until 6 p.m., Friday thru Sunday from 8 a.m. until 4:30 p.m. He added that after hours there is an officer on call for emergency situations. Mr. Cummings said that the police department does get a lot of overflow from the Dog Warden's office when they are not open.

Council Member Burns noted that perhaps people are not aware of the Dog Warden's office and what the number is. She said she wonders if the first reaction of people is to call the police.

Chief Goss explained that when a call comes in to the 911 center, it is screened at that level first. If the severity of the situation cannot be determined, an officer may be dispatched, he said. Chief Goss added that each dispatcher may screen the calls differently. He noted that to date, 75 animal complaints have been recorded, although that could involve any type of animal. The Chief said that police officers will not transport animals in police cars.

Council Member Butler asked how many officers the County employs.

Mr. Cummings said there are three full time and five part time employees.

Council Member Butler commented that he read through the City's Ordinance and read an excerpt regarding vicious or dangerous dogs.

Attorney Stone replied that that section of the Code is not used. She instead refers them to Ag & Markets Law, Section 123, which allows an individual to make a complaint and sign a petition to the court and the judge will hold a hearing between the complainant and the owner. After the hearing, she said, the judge will determine if the dog is dangerous. She stressed that it is not a criminal proceeding but rather a quasi-civil proceeding. Attorney Stone said court has not really utilized this in the past out of reluctance to entertain these types of matters.

Council Member Butler asked if either dog control or a City police officer can issue the ticket.

Attorney Stone and Mr. Cummings replied that it is not a ticket, but rather a notice of hearing.

Mr. Cummings said any law enforcement officer can issue the notice.

Attorney Stone noted that it allows more due process than the City's Ordinance.

Mayor Graham questioned if the victim has to file the petition.

Attorney Stone said it can be the victim or the victim's parent.

Mayor Graham said people depend on police to make determinations as to what type of action should be taken. He added that something that is a recurring issue is the type of stewardship that goes on with dog owners. He added that invariably, with nearly every issue the dogs were not licensed and were not on a leash. Mayor Graham said that the incident on March 17, 2012, on Nellis Street, threatened more people than Mr. King.

Mr. Cummings said four tickets were issued in that incident, including one for having an unlicensed dog, dog at large and two counts of personal injury to personal property.

Mayor Graham inquired about the sanctions in that case.

Attorney Stone said in this case the dog has been killed. Potentially an owner could be fined or could face jail time, she said.

Council Member Butler asked if the court has imposed fines in any of the mentioned cases and asked about the maximum fine amount.

Attorney Stone said the court routinely imposes fines with a maximum of \$250.

Council Member Macaluso asked what happens if people do not pay the fines.

Mr. Cummings said sometimes warrants are issued to remove the dogs from the owners' possession.

Attorney Stone commented that a seizure order could be issued if it is an egregious case until the issue has gone through the courts. More often, she said, the owner signs the dog over to the County where the dog is put down.

Council Member Butler asked Attorney Stone if it is her opinion that the State dog law is better written than the City's ordinance.

Attorney Stone noted the state law does give the owner due process but added that sometimes it is an issue of a neighbor dispute.

Chief Goss said that when fines are not paid in a timely manner, a bench warrant is issued.

Council Member Macaluso questioned why there are so many problems.

Mr. Cummings replied that there have to be responsible owners.

Council Member Macaluso inquired how it can be determined if owners are responsible.

Mayor Graham noted that there has been some discussion as to a link between certain dogs or types of dogs to nefarious activity and asked if the choice of dog is a reflection of the pathologies of the owners.

Chief Goss said he is aware that that has been portrayed and said he believes it to be somewhat true but not in every case.

Mayor Graham wondered if the attack on Nellis Street would have the same public reaction if it occurred on a sidewalk rather than in his home. He asked if people have a right to defend themselves.

Chief Goss said people absolutely have a right to defend themselves.

Attorney Stone noted that Ag & Market law relieves any person from any liability for killing a dog that has attacked a person or their pet in an unprovoked attack. She added that if the issue is a dog that is constantly at large, not attacking, but always getting out, she would require a fence or kennel to keep a dog inside.

Mayor Graham asked for the approximate number of dogs that are unlicensed in the City.

Mr. Cummings replied that the total number of dogs that are licensed as of December 31, 2011, is nearly 1700.

Mayor Graham asked what happens if an unlicensed dog is picked up and the owner tries to claim it; he questioned if they would receive a ticket.

Mr. Cummings said state law reads that any dog that is held in the County facility must have a license and current rabies shot. The dog cannot be returned to the owner without a valid license and rabies certificate, he said.

Mayor Graham inquired about adoptions.

Mr. Cummings replied that is a slightly different issue as of January 1, 2011, as the state no longer is in charge of licensing but rather each municipality must take the responsibility. When an individual adopts a dog, the owner receives a 10-day notice form to take to the City Clerk's office to license their dog.

Mayor Graham asked if there was any way of knowing if people actually follow through with their part of the licensing.

Mr. Cummings said it is not a good percentage and that it is a very poor system.

Mayor Graham questioned if there are limitations to certain types of dogs in the adoption policy.

Mr. Cummings said that cannot be discriminated. He added that the County picks up about 800 dogs per year and not all of them are necessarily dangerous.

Council Member Macaluso asked if there are many 'dump dogs' being picked up.

Mr. Cummings noted sometimes deployment schedules will coincide with an influx of dogs being abandoned. He mentioned that Fort Drum has banned seven or eight breeds and some of those breeds that are banned are being brought into the City and elsewhere in the County. Mr. Cummings added that the ban has been in place for about four years with no explanation to the City or County on the matter.

Mayor Graham asked if the ban is predicated on the fact that they are basically the landlord for the housing on the entire base. He asked Attorney Stone what her office's approach is for penalties.

Attorney Stone said if it is an egregious situation, a seizure order will be requested. She said a fine will not teach responsibility.

Mr. Cummings replied that he does not know what the remedy is, noting that penalties are on a case by case basis. He said an enumeration was done in 2010 to track licenses. He added that owners who do not have licenses and are visited by Dog Control can receive an appearance ticket. He said there are 13,000 dogs licensed in the County with 1,665 in the City.

Mayor Graham said the City has tried to restrict dogs' presence at public events but people think it is their right to bring dogs.

Chief Goss commented that people call 911 for dog related issues and officers will eventually come. He said a lot of the calls he receives are referred to the Dog Warden, as police officers do not have snares and ropes to corral dogs. He added that he does not recall having to put a dog down in many years. Chief Goss said Mr. Cummings and his staff know the animals and where to find them.

Mr. Cummings said since March of 1999, there has been one dog shot in the City.

Mayor Graham asked if people understand that they need to license their dog.

Mr. Cummings said owning a pet is a responsibility and a license is part of that.

Mayor Graham inquired if there is a point in which harboring certain dogs is endangering the welfare of a child.

Chief Goss said he is not aware of any arrests made in that type of case.

Council Member Macaluso noted that while she was a nurse she took care of approximately ten children who were mauled by family dogs.

Council Member Butler and Mayor Graham both questioned how the public assembly issue will be enforced.

Chief Goss replied that this is a new issue for the department and officers will approach people who bring dogs to events. He added that some people just do not get it but not everyone deserves a ticket and a well-placed warning goes a long way. Chief Goss noted he has not heard of a dog biting an officer in years and inquired what postal carriers have seen.

Mayor Graham noted Mrs. Corriveau's sister in law is a postal carrier and has a route in the area of High Street.

Mrs. Corriveau noted that part of the issue may also be that a uniformed individual is approaching people's houses.

Mr. Cummings said he supports using Section 123 of the Ag & Markets Law.

Mayor Graham concluded by saying more tickets can get people's attention. At public events, he said, there is a message to be sent saying that it is not an appropriate place for animals.

### **Transportation Commission**

Mayor Graham noted a memo in Council's packet stating that staff had recommended appointment of certain individuals.

Mrs. Corriveau replied that this was a confidential memo not to be discussed in case there was not a consensus. She said if Council is happy with the names mentioned, a resolution can be prepared for next Monday night.

### **Woolworth Building Redevelopment**

Mayor Graham said the presenters could not make it due to transportation issues.

Mrs. Corriveau said Mr. Mix had indicated to them they will get back on the schedule but work sessions in May are usually dedicated to Budget.

### **Hockey**

Mayor Graham said with hockey discussions going on, he stressed the importance of maintaining continuity as positions are in transition.

Mrs. Corriveau said she had one sit-down discussion with the Privateers and is looking for some additional information from them. She added that she spoke with the owner last week and has not heard anything back from her yet. Mrs. Corriveau said that Mr. VanBrocklin has retired but is still available to lend guidance to the new superintendent.

### **Executive Session**

**Motion was made by Council Member Butler to move into executive session to discuss collective bargaining and to discuss the employment history of particular individuals.**

**Motion was seconded by Council Member Smith and carried with all voting in favor thereof.**

Council moved into Executive Session at 8:09 p.m..

Council reconvened at 9:30 p.m.

### **Adjournment**

**At the call of the Chair, meeting was duly adjourned at 9:30 p.m. by motion of Council Member Burns, seconded by Council Member Butler and carried with all voting in favor thereof.**

*Amanda C. Lewis*  
Deputy City Clerk

