

**CITY COUNCIL MEETING
CITY OF WATERTOWN
July 20, 2015
7:00 p.m.**

Mayor Jeffrey E. Graham Presiding

Present: Council Member Roxanne M. Burns
Council Member Joseph M. Butler, Jr.
Council Member Stephen A. Jennings
Council Member Teresa R. Macaluso
Mayor Graham

Also Present: Sharon Addison, City Manager
Robert J. Slye, City Attorney

City staff present: Matthew Roy, James Mills, Kenneth Mix, Brian Phelps, Erin Gardner, Amy Pastuf, Eugene Hayes, Fire Chief Herman, Police Chief Donoghue, Justin Wood, David Wurzburg

The City Manager presented the following reports to Council:

- Resolution No. 1 - Approving Change Order No. 3 for Watertown Municipal Arena Renovation, General Contractor, Bette & Cring
- Resolution No. 2 - Approving Change Order No. 1 for Watertown Arena Renovation Project, Electrical Work, Lawman Heating and Cooling, Inc.
- Resolution No. 3 - Accepting Proposal for Worker's Compensation and Claims Administration Services, General Municipal Law 207a and 207c, POMCO Group
- Resolution No. 4 - Approving Pivot Employee Assistance Services Contract
- Resolution No. 5 - Approving the City of Watertown CitiBus Department Title VI Submission
- Resolution No. 6 - Approving Purchasing Policy Revisions
- Resolution No. 7 - Contract Extension - Paratransit Services, Guilfoyle Ambulance Service
- Ordinance No. 1 - An Ordinance Authorizing the Issuance of \$650,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Purchase and Installation of Water Meters, in and for Said City
- Tabled - Resolution Re-Bid for Production Services for Webcasting, Steve Weed Productions
- Laid Over Under the Rules - Ordinance Authorizing the Issuance of \$190,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of Boiler Replacements at City Hall, in and for Said City
- Laid Over Under the Rules - Ordinance Amending City Municipal Code § 293, Vehicles and Traffic
- Request for Abate of Water Charges, 742 Morrison Street
- Palmer Street Acquisition Process
- Property Offer – 209 Sterling Street (Parcel 11-01-105.000)
- 424 Vanduzee Street – Former D.O.T. Facility
- Proposed Arena Fees
- Park Alienation and Conversion Processes
- Properties on State Street
- Tax Sale Properties
- Letter from Chief Dale Herman on Brookfield Power Donation
- Tree Planting Grant – Northern New York Community Foundation

- Sales Tax Revenue – June 2015

Complete Reports on file in the office of the City Clerk

Meeting opened with a moment of silence. Mayor Graham asked that the five service members killed in Chattanooga be remembered.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of July 6, 2015 was dispensed and accepted as written by motion of Council Member Roxanne M. Burns, seconded by Council Member Joseph M. Butler, Jr. and carried with all voting in favor thereof.

PRESENTATIONS

Mayor Graham interrupted the regular course of business to recognize members of the Fire Department and Police Department.

Chief Dale Herman described the incidents which lead to the following Firemen receiving recognition:

Cardiac Event Unit Citation – Firefighter Bjorn Ahlstrom, David Burns, Michael Jesmer II, Craig Rowsam, Christopher Siver, David Smith, Christopher St. Joseph, Fire Captain William Bragger, Fire Captain Richard Little

Technical Rescue Unit Citation – Firefighter Matthew Carpenter, Firefighter Scott Clemons, Firefighter Gregory French, Firefighter Jeffrey Holland, Firefighter Jason Pisarski, Firefighter Randy Root, Firefighter Christopher St. Joseph, Firefighter Robert Weldon, Fire Captain Andrew Naklick, Fire Captain Jason Ormsby, Fire Captain Ronald Wareham

Cardiac Event CPR Medal – Firefighter Jacob Barney, Firefighter Andrew Flynn, Firefighter Scott VanCamp, Firefighter John Zingaro III, Fire Captain Theodore Kolb II, Fire Captain David Loftus

Search Unit Citation – Firefighter Matthew Carpenter, Firefighter Scott Clemons, Firefighter Chandler Crosby, Firefighter Christopher Gardner, Firefighter Michael Lindsay, Firefighter Jason Pisarski, Firefighter Eric Hoselton, Firefighter Erik Johannessen, Firefighter Mark Jones, Firefighter Randy Root, Firefighter Steven Wood, Fire Captain Andrew Naklick, Fire Captain Jason Ormsby, Fire Captain Robert Weldon, Battalion Chief Matthew Timerman

Structure Fire Distinguished Citation – Firefighter Gregory French, Firefighter David Johnston

Structure Fire Unit Citation – Firefighter Jared Lyndaker, Firefighter Jeffrey Narrow, Fire Captain Andrew Denney, Fire Captain Scott Kolb

Structure Fire Distinguished Citation – Firefighter Gregory French, Fire Captain Jason Ormsby

Structure Fire Unit Citation – Firefighter Matthew Carpenter, Firefighter Scott Clemons, Firefighter Chandler Crosby, Firefighter Eric Hoselton, Firefighter Erik Johannessen, Firefighter Mark Jones, Firefighter David Marsala II, Firefighter Jason Pisarski, Firefighter Harold Robl, Firefighter Randy Root, Fire Captain Andrew Naklick, Fire Captain Robert Weldon, Battalion Chief Matthew Timerman

Structure Distinguished Citation – Firefighter Chandler Crosby, Firefighter Mark Jones, Firefighter David Marsala II

Structure Unit Citation – Firefighter Matthew Carpenter, Firefighter Scott Clemons, Firefighter Christopher Gardner, Firefighter Eric Hoselton, Firefighter Erik Johannessen, Firefighter Michael Lindsay, Firefighter Jason Pisarski, Firefighter Harold Robl, Firefighter Randy Root, Firefighter Steven Wood, Fire Captain Richard Little, Battalion Chief Matthew Timerman

Police Chief Donoghue described the incidents which lead to the following Police Officers receiving recognition:

Meritorious Service Award – Officer Elizabeth Lewis and Officer Eric McLane
Exceptional Duty Award – Officer Kenny Noone

COMMUNICATIONS

An email was received from Jeffrey P. Kehoe, Kehoe Development, LLC, offering the City the purchase of three adjacent properties known as 231, 237 and 241 Goodale Street.

Above communication was placed on file in the office of the City Clerk.

A claim was received from Tina Jones, 142 Mechanic Street, seeking reimbursement for personal injuries due to a fall while riding on a City bus.

Above claim has been referred to the Board of Audit.

PRIVILEGE OF THE FLOOR

S.G. Gates, 157 Dorsey Street, questioned the use of the Mayor’s blog and Hotline Radio Show during an election period and wondered if this offers an extra advantage. Mentioning the recent offer to purchase the Factory Square Park in place of using the location for a dog park, he indicated his group has been collecting petitions in order to delay the dog park until after the next election. He submitted petitions containing 80 signatures (on file in the City Clerk’s Office). In regard to the money that has already been donated, he said he met with Rande Richardson of the Northern New York Community Foundation to set up the account prior to a location being chosen so the purpose of the account was for a City dog park and not dependent on a specific site. He noted NNY Community Foundation has no mechanism for refunding the funds so the SPCA was chosen as an alternate group. He discussed why he is opposed to the Factory Street location and stressed that Thompson Park would be a better location.

Jill Bruce Wiley, 117 North Massey Street, told Council she is the funeral director and owner of Hart and Bruce Funeral Home and she is concerned with activity in the parking lot of the neighboring business called The Hookah Den at 312 Arsenal Street. She said this is a business that provides flavored tobacco and coffee to their patrons but they do not sell or offer any type of alcoholic beverages. She indicated their hours on the weekends extend to 5:00 a.m. and their patrons loiter in the parking lot consuming alcohol, as well as go onto her property. In addition, she has found garbage and bottles throughout her property. She stressed that she has taken several different measures to work on this issue, including contacting the police, the property owner, the managers and many other agencies. She said the main problems are the open container issue and consumption of alcohol on commercial property along with the public lewdness that is occurring. Mentioning she frequently needs to come into her business at various hours during the night, she expressed concerned over her own safety. She told Council the police have offered to escort her into her business at night but she does not feel this is a good use of City tax dollars.

Mayor Graham stated he became aware of this today and asked staff to look into it.

Charles Donoghue, Police Chief, told Council he first became aware of the issue a few months ago but had not heard anything more until today. Upon reviewing the night shift records, he found several calls to the area as well as several arrests for various reasons. He indicated he has asked the night shift to give this extra attention.

Mayor Graham suggested a visit to the owner may be advantageous and offered to speak to them.

Chief Donoghue said he is not aware if anyone from his department has spoken with the management of this business. He suggested the patrons are bringing their own alcohol to this location.

Council Member Macaluso asked if this business rents space in the building and asked for an explanation of services provided.

Council Member Burns confirmed the space is rented and the business does not sell alcoholic beverages but people go there to smoke some sort of vapor with a hookah pipe. She indicated she was told by an individual associated with the business that it is not uncommon for people to be in the parking lot drinking alcohol. She offered to visit the business along with the Mayor.

Tammy Angel, 166 Cedar Street, spoke in opposition of the Factory Street location for the dog park, mentioning that she has been involved in the effort to bring a dog park to Watertown since she moved here in 2012. She said her family has an interest in the future of Factory Street because she relies on income from a Factory Street business. She asked that Council consider the developer's offer to buy the parcel of land on Factory Street because she feels it would be better utilized, as well as a benefit to the City, if it were to be developed commercially. She discussed the reasons why she feels the location is not suitable for a dog park and said she hopes to continue to advocate for a community funded and appropriately sized dog park in a better location. Discussing the dog ordinance passed in 2012 due to an unfortunate dog incident, she mentioned several times in which she has seen the dog ordinance not consistently followed.

RESOLUTIONS

Resolution No. 1 - Approving Change Order No. 3 for Watertown Municipal Arena Renovation, General Contractor, Bette & Cring

Introduced by Council Member Roxanne M. Burns

WHEREAS on March 30, 2015, City Council of the City of Watertown approved the bid submitted by Bette & Cring in the amount of \$6,268,000 as the General Contractor for the Watertown Municipal Arena Renovation, and

WHEREAS on June 15, 2015, City Council approved Change Order No. 1 in the decreased amount of \$31,260 for changing to a hydraulic elevator, and

WHEREAS also on June 15, 2015, City Council approved Change Order No. 2 in the increased amount of \$20,543 for storm and sanitary separation, as well as removal of high hat channel, and

WHEREAS Bette & Cring has now submitted Change Order No. 3 in the amount of \$20,790.42 to cover the cost of steel support beams on the second floor and removing structural steel in the northeast corner of the building addition,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Change Order No. 3 to the contract with Bette & Cring in the increased amount of \$20,790.42 for the Watertown Municipal Arena Renovation, a copy of which is attached and made part of this Resolution, bringing the total General Contractor amount to \$6,278,073.42, and

BE IT FURTHER RESOLVED that the City Manager Sharon Addison be authorized and directed to sign the Change Order on behalf of the City of Watertown.

Seconded by Council Member Jennings

Prior to the vote on the foregoing resolution, Council Member Butler mentioned that when contractors bid on work there are unknowns that might be discovered so they should allow for this. He said he has mentioned this before with change orders. With this scenario, he said this is part of what every contractor goes through when they do work so he asked for an explanation as to why this additional money should be paid.

Justin Wood, City Engineer, replied that contractors only bid for what is in the plans and specifications. He said that during the demolition process sometimes conditions are found to be different than what was anticipated, therefore causing the engineers to be asked for a recommendation. In this case, he explained steel beams were needed to support the second floor across the new locker room because it was not apparent that some of the interior hallways were load-bearing walls, but they were found to be during demolition.

Council Member Butler asked if the change order is for labor and materials.

Mr. Wood confirmed that it was.

Council Member Butler remarked that Council confirms too many change orders and asked if this can be negotiated.

Mr. Wood mentioned that during this process, there have been other discussions, smaller issues and changes that have been resolved by keeping everything at net zero. He added that Bette and Cring have been very fair and done a lot of extra work to come up with solutions, some of which will not be documented through this process.

Council Member Butler asked if the work has been done.

Mr. Wood replied the steel beams are on site. He clarified that as the interior walls were being constructed, this was a critical path item so the choice was to either stop the project for that area or authorize it because it made sense and would keep the project on track.

Council Member Butler commented that he is inclined to pay for the materials only.

Council Member Macaluso expressed frustration with Stantec because she believes they should have realized the steel beam was needed to support the second floor, noting she is not sure why they did not know it was not a load-bearing wall. She said she will support this because the project cannot be done without this steel beam but hopes this will not continue to happen. In addition, she noted the construction workers are leaving by 4:00 pm and said the work should continue beyond that because the City is paying by the job and not the hour. She stated that for the money the City has spent up to this point, she thinks the project should be further ahead.

Council Member Butler agreed with Council Member Macaluso in that Stantec should have known this structural aspect. He commented that he continues to be angered by the amount of money the City has spent on engineering costs.

Mr. Wood reiterated this was discovered through the demolition process and sometimes things are discovered which could not have been perceived.

Council Member Butler noted this additional cost is due to the second floor, which he did not support.

Mr. Wood suggested scheduling a tour for Council to review the current status of the project. He offered doing this as a group tour or individually.

Mayor Graham suggested scheduling this for the August work session but encouraged Council Members to go view it on their own prior to that.

Council Member Jennings pointed out there has been change orders that have reduced the costs.

Council Member Butler mentioned the change order for fire suppression and wondered how Stantec could have designed the project without this.

Mayor Graham agreed that was a big item to be left out.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea except Council Member Joseph M. Butler, Jr. voting nay.

Resolution No. 2 - Approving Change Order No. 1 for Watertown Arena Renovation Project, Electrical Work, Lawman Heating and Cooling, Inc.

Introduced by Council Member Stephen A. Jennings

WHEREAS on March 30, 2015, City Council approved the bid submitted by Lawman Heating and Cooling, Inc. in the amount of \$976,000 for the Electrical Work for the Watertown Arena Renovation Project, and

WHEREAS Lawman Heating and Cooling, Inc. has now submitted Change Order No. 1 in the decreased amount of \$1,100.74 for the transmitter for the Marquee sign, additional exterior lighting and to relocate the underground utility conduits,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Change Order No. 1 to the contract with Lawman Heating and Cooling, Inc. in the decreased

amount of \$1,100.74 for the Watertown Municipal Arena Renovation, a copy of which is attached and made part of this Resolution, bringing the total Electrical Work amount to \$974,899.26, and

BE IT FURTHER RESOLVED that the City Manager, Sharon Addison, is hereby authorized and directed to sign the Change Order on behalf of the City of Watertown.

Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 3 - Accepting Proposal for Worker's Compensation and Claims Administration Services, General Municipal Law 207a and 207c, POMCO Group

Introduced by Council Member Stephen A. Jennings

WHEREAS the City of Watertown is a municipal government which operates facilities in and around said City, and

WHEREAS City employees, Police and Fire personnel work in these facilities in and around the City, and

WHEREAS the City of Watertown requires claims administration services for the City's Workers' Compensation claims arising at our facilities, and

WHEREAS the City of Watertown also requires claims administration services for the City's General Municipal Law 207a and 207c claims arising at our facilities and had issued a Request for Proposals for same,

WHEREAS three proposals were submitted and reviewed by a committee to examine all aspects of each proposal and to interview each prospective agency,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the proposal for Workers' Compensation and General Municipal Law Section 207a and 207c Claims Administration Services with POMCO Group, 2425 James Street, Syracuse, New York, for three years through June 30, 2018 with the ability to renew for two additional one-year terms, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute the contract on behalf of the City.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 4 - Approving Pivot Employee Assistance Services Contract

Introduced by Council Member Teresa R. Macaluso

WHEREAS Employee Assistance Programs are designed to assist employees and their families with difficult issues related to finances, stress at home and in the workplace, substance abuse, and other issues related to the well-being of employees, and

WHEREAS an Employee Assistance Program is an effective and supportive management tool aimed at helping employees cope with life's many challenges, and

WHEREAS the City wishes to provide such a program for its employees and their families in compliance with NYS DOT and FTA requirements, and

WHEREAS the City of Watertown wishes to enter into a Service Agreement with Pivot, 167 Polk Street, Watertown, NY, for a one-year term,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Pivot Employee Assistance Services Contract between the City of Watertown and Pivot (formerly Northern Employee Assistance Services), a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute the Contract on behalf of the City.

Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea except Mayor Jeffrey E. Graham voting nay.

Resolution No. 5 - Approving the City of Watertown CitiBus Department Title VI Submission

Introduced by Council Member Roxanne M. Burns

WHEREAS the City of Watertown is the recipient of Urbanized Area Formula Funding, 5307 funds, and

WHEREAS in order to ensure that we are complying with the required FTA regulations, the City of Watertown must approve the Title VI Program,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the City of Watertown CitiBus Department Title VI Submission, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that the City of Watertown shall continue to ensure that it will properly administer the Title VI program.

Seconded by Council Member Stephen A. Jennings and carried with all voting yea.

Resolution No. 6 - Approving Purchasing Policy Revisions

Introduced by Council Member Teresa R. Macaluso

WHEREAS on August 20, 2012, the City Council approved the latest revision to the City's Purchasing Policy identifying Amy M. Pastuf as Purchasing Manager for the City of Watertown, and

WHEREAS the City's Procurement Policy has been established and adopted by the City Council, and

WHEREAS the City of Watertown is the recipient of Urbanized Area Formula Funding, 5307 funds, and

WHEREAS in order to ensure that we are complying with the required FTA regulations, the City of Watertown has revised its Purchasing Policy,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Purchasing Policy for the City of Watertown, a copy of which is attached and made part of this resolution.

Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

Resolution No. 7 - Contract Extension - Paratransit Services, Guilfoyle Ambulance Service

Introduced by Council Member Teresa R. Macaluso

WHEREAS the City Council approved a two-year contract on May 21, 2012 with Guilfoyle Ambulance Service to operate the City's Paratransit Program, and

WHEREAS that contract included an option to renew the contract for three additional one-year terms, and

WHEREAS Guilfoyle is offering a one-year extension to June 30, 2015 with no increase in price for an annual contract of \$89,393.98, which includes FTA required language modifications,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves the contract extension of one-year with Guilfoyle Ambulance Service for Paratransit Services, a copy of which is attached and made a part of this resolution, for an annual contract of \$89,393.98, and

BE IT FURTHER RESOLVED that the City Manager Sharon Addison is hereby authorized and directed to execute the Contract for Paratransit Services.

Seconded by Council Member Stephen A. Jennings and carried with all voting yea.

ORDINANCES

Ordinance No. 1 - An Ordinance Authorizing the Issuance of \$650,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Purchase and Installation of Water Meters, in and for Said City

Introduced by Council Member Stephen A. Jennings

NOW THEREFORE BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York, as follows:

Section 1. For the class of objects or purposes of paying part of the cost of the purchase and installation of water meters, including incidental expenses in connection therewith, all in and for the City of Watertown, Jefferson County, New York, there are hereby authorized to be issued \$650,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$650,000 and that the plan for the financing thereof is by the issuance of the \$650,000 bonds of said City authorized to be issued pursuant to this bond ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty years, pursuant to subdivision thirty of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Watertown, Jefferson County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Watertown, Jefferson County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the City Comptroller. Such notes shall be of such terms, form and contents as may be prescribed by said City Comptroller consistent with the provisions of the Local Finance Law.

Section 9. The City Comptroller is hereby further authorized, at his or her sole discretion, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said City in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The intent of this resolution is to give the City Comptroller sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes, without resorting to further action of the City Comptroller.

Section 11. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of its City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

- Section 12. The validity of such bonds and bond anticipation notes may be contested only if:
- (1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
 - (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
 - (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 13. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.151 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 14. This ordinance, which takes effect immediately, shall be published in summary in the Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Seconded by Council Member Teresa R. Macaluso

Motion for unanimous consent moved by Council Member Stephen A. Jennings, seconded by Council Member Joseph M. Butler, Jr. and carried with all voting in favor thereof.

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

OLD BUSINESS

Resolution - Re-Bid for Production Services for Webcasting, Steve Weed Productions *(Introduced on 7/6/2015; tabled; appears in its entirety in the 2015 Minutes Book on page 7 of the 7/6/2015 minutes).*

Motion was made by Council Member Teresa R. Macaluso to take the foregoing resolution from the table. Motion was seconded by Council Member Joseph M. Butler, Jr. and carried with all voting in favor thereof.

Council Member Butler stated that he did get phone calls regarding this, but there are a limited number of people that view it and it is expensive undertaking for Mr. Weed.

At the call of the chair, a vote was taken on the foregoing resolution and defeated with all voting nay except Council Member Roxanne M. Burns and Mayor Jeffrey E. Graham voting yea.

Ordinance - Authorizing the Issuance of \$190,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of Boiler Replacements at City Hall, in and for Said City *(Introduced on 7/6/2015; laid over under the rules; appears in its entirety in the 2015 Minutes Book on page 11-13 of the 7/6/2015 minutes).*

Council Member Burns commented that it seems the boilers in this building have been replaced more than they should, but she did reach out to some specialists in the field who indicated that boilers do not last as long as they used to. She said she understands this is necessary so she will support this.

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

Ordinance - Amending City Municipal Code §293, Vehicles and Traffic *(Introduced on 7/6/2015; laid over under the rules; appears in its entirety in the 2015 Minutes Book on page 13 of the 7/6/2015 minutes).*

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

STAFF REPORTS

Palmer Street Acquisition Process

Council Member Butler asked if setting the public hearing infers the City is interested but does not establish the fact that the City is actually going to pursue eminent domain.

Attorney Slye confirmed that is the purpose of the public hearing.

Motion was made by Council Member Roxanne M. Burns to schedule a Public Hearing for Monday, August 17, 2015, at 7:30 P.M. to hear public input as part of the eminent domain process for the acquisition of Palmer Street. Motion was seconded by Council Member Joseph M. Butler, Jr. and carried with all voting in favor thereof.

Property Offer – 209 Sterling Street (Parcel 11-01-105.000)

Council Member Burns asked if there is a reason why the City has held onto this property instead of putting it up for sale.

James Mills, City Comptroller, responded this was obtained through a legal settlement in which the final payment was received last year.

Mayor Graham questioned the email received regarding the Goodale Street properties and asked if it is connected to this property.

Ms. Addison explained they are adjoining properties and she asked the City Engineer to draft a plan for additional parking spaces due to the City Court expansion.

Mr. Mills clarified the City owns 209 Sterling Street. In addition, he said McIntosh & McIntosh sent the City a request to buy or lease this property, or if the City was interested, McIntosh & McIntosh offered to sell 201 Sterling Street to the City. He further explained the email from the Kehoe Development group offering to sell to the City the Goodale Street lots, which would create a rectangular property on this corner for a potential parking lot.

Council discussed the properties in detail, as well as the buildings that would need to be removed in order to create a parking lot. Staff was asked to look into this further.

424 Vanduzee Street – Former D.O.T. Facility

Mayor Graham reviewed the history of this property and wondered if the City should take title and begin some kind of incremental remediation of it.

Council Member Jennings told Council that Mr. Bryon called him today wanting more time.

Mr. Mills indicated the expiration date passed so it would be owned by the City and Council determines the fate of real property by a four-fifths vote.

Council discussed Mr. Byron's plans for the property as well as the possibility of him buying it back, and questioned the prospect of him remediating it.

Mr. Mills summarized that he is looking for Council's knowledge and concurrence before placing ownership of this property with the City. He offered an additional option of having an auction to assign the tax sale certificate, which would allow the high bidder to accept the deed and leave the City out of the ownership chain.

Regarding an environmental assessment review, Attorney Slye questioned if it is the City's responsibility to do asbestos removal for a building that it does not own.

Kenneth Mix, Planning Coordinator, advised Council in detail on the steps involved in the two phases of a full environmental assessment review.

Council Member Jennings mentioned that if this property was to be cleaned up, it would be a nice piece of property because of the closeness to the river and recreational potential.

Mayor Graham indicated he would like to complete phase one of the environmental review.

After much discussion, Council Member Butler, Council Member Burns and Council Member Macaluso agreed to auction the tax sales certificate.

Proposed Arena Fees

Council Member Butler stated he received feedback regarding the increase in fees for Skate and Shoot and suggested offering a frequent user pass.

Erin Gardner, Superintendent of Parks and Recreation, advised there is a season pass for public skating so she can look into doing this for Skate and Shoot.

Regarding the other fees, Council Member Butler remarked he is in support of charging more to non-City residents, noting the facility is used by individuals county-wide. He questioned the fees for the minor hockey league, asking why there was not an increase.

Ms. Gardner explained she kept the fees the same for this year because she does not know if the arena will be done for any part of their season. She clarified the increase in fees will have a phased-in approach through Fiscal Year 2017-18.

The following reports were available for Council to review:

Park Alienation and Conversion Processes

Properties on State Street

Tax Sale Properties

Letter from Chief Dale Herman on Brookfield Power Donation

Tree Planting Grant – Northern New York Community Foundation

Sales Tax Revenue – June 2015

NEW BUSINESS

Hookah Bar (312 Arsenal Street)

Mayor Graham referred to the comments made in regard to this business during Privilege of the Floor. He stated the owners should be made aware of the fact that they are accountable for what goes on as a result of their business. He added there is no harm having someone with authority speaking to the business owners and making them aware that there is a series of complaints regarding this.

Council discussed the nature and conduct of the business.

Council Member Butler commented that he had talked to Ms. Wiley earlier today and he would want more information. He asked the Police Chief to use all available resources to fix the situation.

Inquiry on Properties – 215 E. Hoard St., 208 W. Lynde St., 327 W. Lynde St., 257 Winslow St.

Council Member Butler said he requested Code Enforcement to look at these properties.

A report was available for Council to review.

Recycling Issue

Referring to the complaint from Mr. Parody that was discussed at the last meeting, Council Member Butler stated the City should change the policy and pick up the recyclables in that scenario. He mentioned people that come back from their cottage with recyclables but do not have a tote or blue sticker, and he said these should be picked up as well. Feeling that there is not many times in which this would happen, he stated it should not be that costly or time consuming.

Mayor Graham said this would require changing the ordinance and if this was drafted, he would support it.

Council Member Burns remarked she would want to know the specific changes to the policy before she could support it.

Council Member Butler indicated he would work with Eugene Hayes, Superintendent of Public Works, on this.

Council Member Macaluso stated she agreed with Council Member Butler's concept but after reading Mr. Hayes' report, she said there is a reason why we do not allow it. She added that some people will take advantage of it. She agreed that Mr. Parody has done a lot for the community so she is not opposed to helping him, but if Council starts asking DPW to pick and choose whose recyclables should be picked up, it will create a problem. She stressed that Council has a responsibility to take care of the people that pay the City to do provide this.

Fee Schedule

Mayor Graham said he had a discussion with Ann Saunders, City Clerk, who spoke to the City Manager and City Attorney on ways to save money with changes to the fee schedules. Noting that some communities have a fee schedule which is changed by resolution instead of an ordinance within the City Code, he asked if this could be pursued because an ordinance requires an expense in order to reprint the Code.

Attorney Slye explained it would require some legislation to change all the sections of the Code that refer to the appendix of the Code for the fees. He recommended replacing this language with "per the schedule published by the City Clerk pursuant to the Council resolution." He confirmed this would save money in publication costs because every time the City changes a fee, sections of the Code book need to be reprinted. He agreed this would be a great solution in order to save some money.

Mayor Graham asked if Council would like the City Clerk to work on this.

Council concurred.

Request for Abate of Water Charges, 742 Morrison Street

Ms. Addison informed Council that a resolution would be available at the August 3 meeting.

ADJOURNMENT

At the call of the chair, meeting was duly adjourned at 9:10 p.m. by motion of Council Member Joseph M. Butler, Jr., seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

Ann M. Saunders
City Clerk