

**CITY COUNCIL MEETING
CITY OF WATERTOWN
July 16, 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: Sharon A. Addison, City Manager
Robert J. Slye, City Attorney

City staff present: Elliott Nelson, Jim Mills, Ken Mix, Kurt Hauk

The City Manager presented the following reports to Council:

- Resolution No. 1 - Approving Public Benefits Services Agreement Between the City of Watertown and the Disabled Persons Action Organization
- Resolution No. 2 - Approving Public Benefits Services Agreement Between the City of Watertown and the Jefferson County Historical Society
- Resolution No. 3 - Readopting Fiscal Year 2012-13 Tourism Fund Budget
- Resolution No. 4 - Approving Salary Structure, and Annual Pay Increase for Watertown Housing Authority Employees
- Resolution No. 5 - Authorizing a Grant Application to the North Country Regional Economic Development Council Capital Fund and Empire State Development for Improvements and Renovations to the Watertown Municipal Arena
- Resolution No. 6 - Approving Amendment No. 4 to the State Assistance Contract for Sewall's Island Environmental Restoration Program Grant
- Resolution No. 7 - Approving Amendment No. 4 to the Agreement for Professional Services With Lu Engineers for the Environmental Investigations on Sewall's Island
- Resolution No. 8 - Amending the October 17, 2011 Site Plan Approval for the Morgia Group Offices at 151 Mullin Street, Parcel 10-15-115
- Resolution No. 9 - Approving the Site Plan for the Construction of a 6,500 Square Foot Clubhouse, Pavilion, and Parking Area at 144 Eastern Boulevard, Parcel 5-16-320
- Resolution No. 10 - Approving a Special Use Permit Request to Allow a 4-unit Dwelling in a Residence C District Located at 414 Stone Street, Parcel 10-03-205
- Resolution No. 11 - Accepting the Proposal for the Soldiers and Sailors Monument Conservation Project, Conservation Solutions, Inc.
- Resolution No. 12 - Authorizing Sale of Real Property, Known as 522 Mohawk Street to Fred Cumoletti, 5759 Sunset Terrace, Cicero, New York 13039

- Resolution No. 13 - Accepting Proposal of Armory Associates, LLC For Actuarial Services
- Appointment to Watertown Local Development Corporation Board
- Waiver of Fees for City Facilities
- Property Offers – 111 Orchard Street South
- Bike Auction Results
- Letter from Anne Nans of Sackets Harbor, NY
- Zoo Board Discussion of the Karl R. Burns Learning Center

Complete Reports on file in the office of the City Clerk

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of July 2, 2012 was dispensed and accepted as written by motion of Council Member Roxanne M. Burns, seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

COMMUNICATIONS

No communications.

PRIVILEGE OF THE FLOOR

Bob Simpson, President of the Jefferson County Fair addressed the chair stating they just ended a very successful fair and there were no problems with the Dog Ordinance. He thanked Council for addressing this issue. He also thanked the new staff at the Parks and Recreation Department and mentioned that they were great to work with. He addressed the new fee of \$75 per RV site and stated that there needs to be a better understanding of what qualifies as an RV site. He stated that confusion arises when a camping trailer only uses an extension cord or a RV unit requiring 50 amps of electric service which cannot be provided only uses water service from the City. He added that there are only fourteen 50 amp electric sites but they could use 30-35 sites. He suggested the fee structure be reviewed because it does not take into account situations when the full service of water, electric and sewer is not supplied.

Claudia Smith, 412 East Street addressed the chair regarding the apartment building at 240 E. Main Street and the lack of code enforcement at this location. She indicated that when she reported the many code violations over the years, there have only been temporary fixes done. She mentioned that there are not any codes to discourage repeat offenders and very little is done to absentee landlords. Mayor Graham asked the City Manager to get a report on this property.

Jason White MD, 250 Rexford Place addressed the chair regarding the improvements that have been made throughout the City and was recently told by a visitor to the City that it looks like

Watertown is going through a renaissance. He expressed that this is a big complement to the work that has been done recently. He stated that he is concerned with the reconstruction of Clinton Street and would have liked to see the residents in that neighborhood have had more input. He indicated that he had given Council a letter (not on file in the City Clerk's Office) regarding his concerns and he was hoping for some aesthetic improvements on the street.

RESOLUTIONS

Resolution No. 1 - Approving Public Benefits Services Agreement Between the City of Watertown and the Disabled Persons Action Organization

Introduced by Council Member Joseph M. Butler, Jr.

WHEREAS the City Council has received a request for funding to support the promotion of the Disabled Persons Action Organization, and

WHEREAS the City Council of the City of Watertown desires to appropriate \$5,000 from the FY 2012-13 Tourism Fund to support the Disabled Persons Action Organization, and

WHEREAS the Disabled Persons Action Organization will expend the funds to market and promote the City of Watertown through the public media, print, radio, television, direct contact and other promotional devices, and that this will encourage tourism in the City of Watertown, and

WHEREAS the City of Watertown wishes to enter into an Agreement for Public Benefit Services between the City of Watertown and the Disabled Persons Action Organization, a copy of which is attached and made a part of this resolution,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves a Public Benefit Services Agreement between the City of Watertown, New York and the Disabled Persons Action Organization, and

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

Seconded by Council Member Roxanne M. Burns

Prior to the vote on the foregoing resolution, Council Member Macaluso reminded Council that she was comfortable allotting \$2,500 but felt that \$5,000 is a lot of money when there are only three events left. She stated that she will not support this.

Council Member Butler said that he was on board with allotting \$2,500 but recognizes the importance of DPAO and the number of people they bring to the area. For the sake of showing them as much support as he can, he said he will support this increase from \$2,500 to \$5,000 as written in the resolution.

Mayor Graham indicated that he will support this as well because there are certain things that are better off supporting in the context of local politics. He commented that some of these things need to be kept in perspective when groups make a one-time request and then put in another request in the following year. He added that Council should not lose sight of the fact that the events held are major commercial endeavors. He mentioned that this last concert had a \$400,000 budget for the talent, lighting people, sound people and all the other staging people as well as \$80,000 was made in beer sales. He pointed out that despite the large dollar volume of the events there continues to be the feeling that one should only pay a couple of thousand dollars for the venue and disagrees with the mobile home fees. He also recommended if organizations want fees waived for an event then it should be requested long before the date of the event.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea except for Council Member Teresa R. Macaluso voting nay.

Resolution No. 2 - Approving Public Benefits Services Agreement Between the City of Watertown and the Jefferson County Historical Society

Introduced by Council Member Jeffrey M. Smith

WHEREAS the City Council has received a request for funding to support the promotion of the Jefferson County Historical Society, and

WHEREAS the City Council of the City of Watertown desires to appropriate \$12,500 from the FY 2012-13 Tourism Fund to support the Jefferson County Historical Society, and

WHEREAS the Jefferson County Historical Society will expend the funds to market and promote the City of Watertown through the public media, print, radio, television, direct contact and other promotional devices and that this will encourage tourism in the City of Watertown, and

WHEREAS the City of Watertown wishes to enter into an Agreement for Public Benefit Services between the City of Watertown and the Jefferson County Historical Society, a copy of which is attached and made a part of this resolution,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves a Public Benefit Services Agreement between the City of Watertown, New York and the Jefferson County Historical Society, and

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

Seconded by Council Member Teresa R. Macaluso

Prior to the vote on the foregoing resolution, Council Member Burns mentioned that she is a past president of the Historical Society as well as currently on the Board of Directors and that she will be abstaining from voting. She exited Council Chambers.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea except for Council Member Roxanne M. Burns who abstained.

Council Member Burns returned to Council Chambers.

Resolution No. 3 - Readopting Fiscal Year 2012-13 Tourism Fund Budget

Introduced by Council Member Teresa R. Macaluso

WHEREAS on May 26, 2012 the City Council passed a resolution adopting the Budget for Fiscal Year 2012-13, of which \$211,375 was appropriated for the Tourism Fund of which \$50,000 was appropriated for publicity expenditures, and

WHEREAS the City Council has approved agreements authorizing publicity expenditures totaling \$59,350 with the Thousand Islands International Tourism Council (\$41,850), the Jefferson County Historical Society (\$12,500) and the Disabled Persons Action Organization (\$5,000),

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby re-adopts the Tourism Fund Budget for Fiscal Year 2012-13 in the total amount of \$220,725 and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that the following adjustments be included in the re-adopted Tourism Fund Budget.

<u>Revenues</u>	
Appropriated Fund Balance	<u>\$ 9,530</u>
Total	<u>\$ 9,530</u>
 <u>Expenditures</u>	
CT 6410.0430 Publicity	<u>\$ 9,350</u>
Total	<u>\$ 9,530</u>

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

Resolution No. 4 - Approving Salary Structure, and Annual Pay Increase for Watertown Housing Authority Employees

Introduced by Council Member Roxanne M. Burns

WHEREAS in conformity with the requirements of the New York State Public Housing Law § Section 32, Sub Division 1, compensation for Watertown Housing Authority employees can be fixed only upon the approval of the local legislative body, which is the City Council of the City of Watertown, and

WHEREAS the Watertown Housing Authority has reported that based on a comparability review of salaries for their employees with prevailing local government salaries, it is the desire

of the Watertown Housing Authority Board to authorize a one and one-half percent (1.5%) cost of living increase for all employees effective July 1, 2012, and

WHEREAS by resolution adopted on June 21, 2012, the Watertown Housing Authority Board approved a one and one-half percent (1.5%) cost of living increase for all employees, effective July 1, 2012, by modification to its existing Administrative and Maintenance salary structures,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the 2012 salary structure for all employees of the Watertown Housing Authority which contains a one and one-half percent (1.5%) cost of living increase, effective July 1, 2012, salary structures are attached and made part of this resolution and

BE IT FURTHER RESOLVED that the incoming City Manager, Sharon Addison, is hereby authorized and directed to forward certified copies of the resolution to the Watertown Housing Authority.

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

Resolution No. 5 - Authorizing a Grant Application to the North Country Regional Economic Development Council Capital Fund and Empire State Development for Improvements and Renovations to the Watertown Municipal Arena

Introduced by Council Member Jeffrey M. Smith

WHEREAS the City Council of the City of Watertown desires to make the improvements to the Watertown Municipal Arena, as detailed in the May 2009 Ice Arena Study performed by the engineering firm Bernier Carr and Associates, PC, and

WHEREAS the State of New York has announced that grant funds are available through the North Country Regional Economic Development Council for regionally transformative projects, and

WHEREAS the City Council of the City of Watertown believes that the recommended upgrades detailed in the 2009 Arena Report would be regionally transformative for the North Country Region, and

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2, and has determined that the project, as submitted, is Unlisted and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed construction and improvements constitute an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED that Elliott B. Nelson, as Assistant to the City Manager

of the City of Watertown, is hereby authorized and directed to file an application for funds from the North Country Regional Economic Development Council Capital Fund and Empire State Development for construction and improvements to the Watertown Municipal Arena.

Seconded by Council Member Joseph M. Butler, Jr.

Prior to the vote on the foregoing resolution, Mayor Graham remarked that this application was authorized during a prior discussion and the application was enhanced by the addition of the hockey team and the commercial activities related to that.

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

Resolution No. 6 - Approving Amendment No. 4 to the State Assistance Contract for Sewall's Island Environmental Restoration Program Grant

Introduced by Council Member Jeffrey M. Smith

WHEREAS the New York State Department of Environmental Conservation and the City of Watertown entered into a State Assistance Contract on April 22, 2008, as amended on February 25, 2010, April 6, 2011 and March 26, 2012 for the environmental remedial investigation on Sewall's Island, and

WHEREAS the Interim Remedial Measure for a petroleum spill took longer than expected, and a Site Management Plan is required for the site, and

WHEREAS the New York State Department of Environmental Conservation is proposing to amend the contract to provide an additional \$39,900 from the State, which must be matched by the City of Watertown with \$4,450, and

WHEREAS the State of New York has drafted Contract Amendment No. 4, which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves Amendment No. 4 to the State Assistance Contract for the Sewall's Island Environmental Restoration Program Grant, and

BE IT FURTHER RESOLVED that the City Manager, Sharon Addison, is hereby authorized and directed to execute Amendment No. 4 on behalf of the City of Watertown.

Seconded by Council Member Teresa R. Macaluso

Prior to the vote on the foregoing resolution, Council Member Butler noted that the cleanup has taken longer than expected and wondered when it would be completed.

Ken Mix, City Planning Coordinator responded that it was necessary to take the time to pump the petroleum out of the ground and there was no way of telling how long this would take. He explained that the final engineering report showed there were elevated levels of metals which

were more extensive than originally thought. He further explained that this required a much more extensive site management plan which is the plan that a developer must follow to avoid any liability for what is on the site. He confirmed that the \$4,450 in this resolution is included in the City's total share of \$16,054.

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

Resolution No. 7 - Approving Amendment No. 4 to the Agreement for Professional Services With Lu Engineers for the Environmental Investigations on Sewall's Island

Introduced by Council Member Teresa R. Macaluso

WHEREAS the City Council approved an Agreement for Professional Services for the environmental investigation on Sewall's Island with Lu Engineers on February 20, 2007, and amended the Agreement on June 21, 2010, April 18, 2011, and November 21, 2011, and

WHEREAS the City Council has been awarded additional funding through its State Assistance Contract for an Environmental Restoration Program Grant to complete Interim Remedial Measures and a Site Management Plan for Sewall's Island, and

WHEREAS a fourth Amendment to the Agreement for Professional Services that increases Lu Engineers fee for services to \$900,545 has been drafted,

NOW THEREFORE BE IT RESOLVED that the City Council approves Amendment No. 4 to the Agreement for Professional Services with Lu Engineers, which is attached and made part of this resolution, and

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

Seconded by Council Member Roxanne M. Burns and carried with all voting yea.

Resolution No. 8 - Amending the October 17, 2011 Site Plan Approval for the Morgia Group Offices at 151 Mullin Street, Parcel 10-15-115

Introduced by Council Member Jeffrey M. Smith

WHEREAS Phillip Banazek has submitted a request to amend the site plan submitted by Patrick Currier of Aubertine & Currier, on behalf of the Morgia Group, for the construction of a 3,490 square foot office building and parking lot at 151 Mullin Street, originally approved at the October 17, 2012 City Council meeting, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan amendment at its meetings held on May 1, 2012 and July 3, 2012, and recommended that the City Council of the City of Watertown amend the site plan approval as follows:

1. The applicant shall not be required to install fencing along the portion of the eastern property line shared with 143 Mullin Street, parcel number 10-15-116.

And,

WHEREAS the City Council has previously declared that this project will not have a significant effect on the environment, pursuant to the State Environmental Quality Review Act,

NOW THEREFORE BE IT RESOLVED that it is an express condition of this site plan approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Codes Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Code Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that the amended site plan approval is hereby granted to Phillip Banazek, annulling the requirement for fencing along the portion of the eastern property line shared with 143 Mullin Street, parcel 10-15-116, as submitted to the City Engineer on April 20, 2012, and revised via e-mail on June 29, 2012.

Seconded by Council Member Teresa R. Macaluso

Prior to the vote on the foregoing resolution, Council Member Burns stated that she lives in the 200 block of Mullin Street and commended the Morgia Group for taking the neighborhood into consideration and fitting into this residential area. She welcomed them into her neighborhood.

Mayor Graham mentioned that the house that was on this property was moved over to Cedar Street and it looks nice in that neighborhood.

Council Member Butler noted that this group is one that he competes with on a day-to-day basis and he respects what they do. He added that they made a nice commitment to Mullin Street and it is a fine addition to the neighborhood.

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

Resolution No. 9 - Approving the Site Plan for the Construction of a 6,500 Square Foot Clubhouse, Pavilion, and Parking Area at 144 Eastern Boulevard, Parcel 5-16-320

Introduced by Council Member Roxanne M. Burns

WHEREAS Michael Lundy of Lundy Development and Property Management, on behalf of Aerie No. 782 Fraternal Order of the Eagles, has made an application for site plan approval for a 6,500 square foot clubhouse, pavilion, and parking area at 144 Eastern Boulevard, parcel 5-16-320, and

WHEREAS the Jefferson Count Planning Board reviewed the request at their June 26, 2012 meeting, and adopted a motion stating that the project has no county-wide or inter-municipal issues, and is of local concern only, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on July 3, 2012, and recommended that the City Council of the City of Watertown approve the site plan with the following conditions:

- 1) The applicant shall provide 33 parking spaces, based on a proposed building size of 6,500 square feet. If these spaces are to be located on a separate parcel, the applicant shall depict and provide a proposed legal description for a permanent easement granting access to these spaces. The easement shall be filed with the County Clerk prior to occupancy.
- 2) The applicant shall depict and provide a proposed legal description for an easement providing access to the 10 parking spaces shown along the northern lot line. The easement shall be filed with the County Clerk prior to occupancy.
- 3) The applicant shall provide a lighting plan with photometric data, to be approved by the City Engineer prior to the issuance of a building permit.
- 4) The applicant may not tie into the Kinney Drugs water line due to NYSDOH regulations. The applicant shall devise and depict a water service route, showing size, type, and the location of the curbstop.
- 5) The applicant shall depict the size and type of the sanitary sewer service, and depict the location of the cleanout. Further, the applicant shall confirm whether the existing sanitary service is indeed abandoned, and take action as directed by the City Engineer.
- 6) The applicant must depict and label existing and proposed water, sewer, and storm lines (including inverts) throughout the project area, and along Dundon Ave., State St., and the existing bank.
- 7) The applicant shall vary the species of the proposed landscaping so that no single species constitutes more than 15% of the plantings.
- 8) The applicant shall install 6 to 8 large-maturing trees along the southern property line at approximately 40-foot spacing.
- 9) The applicant shall depict the required setbacks for the Commercial District, using Hinds Avenue as the parcel's front lot line.
- 10) The applicant shall install an enclosure around the dumpster, not to exceed six feet in height.
- 11) The applicant shall provide a wet-stamped copy of the boundary and topographic survey, with original seal and signature.

- 12) The applicant shall provide an engineering report with the appropriate information, as outlined in the Site Plan Application.
- 13) The applicant shall clearly depict all easements, differentiating between existing and proposed, and correctly label the parties involved.
- 14) The applicant shall revise the preliminary floor plan to show the correct parking layout.

And,

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2, and has determined that the project, as submitted, is Unlisted and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed construction and site plan constitute an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED that it is an express condition of this site plan approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Code Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Code Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that site plan approval is hereby granted to Michael Lundy of Lundy Development and Property Management, on behalf of Aerie No. 782 Fraternal Order of the Eagles, for a 6,500 square foot clubhouse, pavilion, and parking area at 144 Eastern Boulevard, parcel 5-16-320, as submitted to the City Engineer on June 5, 2012, contingent on the applicant making the revisions and meeting the conditions recommended by the Planning Board as listed above.

Seconded by Council Member Teresa R. Macaluso

Prior to the vote on the foregoing resolution, Mayor Graham mentioned that **Michael Lundy** of Lundy Development and Property Management was available for questions.

In response to Mayor Graham's inquiry, Mr. Lundy indicated that he is comfortable with the 14 items listed by the Planning Board. He explained that there is some engineering work to be done but the Eagles Club needs to know that they have permission to build on the site first.

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

Resolution No. 10 - Approving a Special Use Permit Request to Allow a 4-unit Dwelling in a Residence C District Located at 414 Stone Street, Parcel 10-03-205

Introduced by Council Member Roxanne M. Burns

WHEREAS Deanna Hirschey and Michael Hohs have made an application for a Special Use Permit to allow a 4-unit dwelling in a Residence C District at 414 Stone Street, parcel 10-03-205, and

WHEREAS the Jefferson County Planning Board reviewed the special use permit request at its meeting held on May 29, 2012, pursuant to General Municipal Law Section 239-m and adopted a motion that the project does not have any significant county-wide or inter-municipal issues and is of local concern only, and

WHEREAS the Planning Board of the City of Watertown reviewed the request for a Special Use Permit at its meeting held on July 3, 2012, and recommended that the City Council of the City of Watertown deny the request, and

WHEREAS a public hearing was held on the proposed Special Use Permit on August 6, 2012, after due public notice, and

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part II and has determined that the project, as submitted, is Unlisted and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed Special Use Permit to allow a 4-unit dwelling at 414 Stone Street is an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that a Special Use Permit is hereby granted to Deanna Hirschey and Michael Hohs to allow a 4-unit dwelling in a Residence C District at 414 Stone Street, parcel 10-03-205, conditioned on the applicant receiving an area variance from the Zoning Board of Appeals that will allow the fourth unit.

Seconded by Council Member Joseph M. Butler, Jr.

Motion was made by Council Member Roxanne M. Burns to schedule a Public Hearing on the foregoing resolution for Monday, August 6, 2012 at 7:30 P.M. Motion was seconded by Council Member Joseph M. Butler, Jr. and carried with all voting in favor thereof.

Resolution No. 11 - Accepting the Proposal for the Soldiers and Sailors Monument Conservation Project, Conservation Solutions, Inc.

Introduced by Council Member Jeffrey M. Smith

WHEREAS the City of Watertown has successfully obtained grant funding from the New York State Office of Parks, Recreation and Historic Preservation for the Soldiers and Sailors Monument Conservation Project, and

WHEREAS the Soldiers and Sailors Monument Conservation Project will include the restoration and cleaning of all granite and bronze surfaces, stain removal, masonry repairs, and the repair of mortar and lead joints, and

WHEREAS on May 10, 2012, the City initiated the project by requesting proposals from qualified sculpture and outdoor monument conservators, and

WHEREAS on June 12, 2012, the City received two (2) proposals from qualified conservators, and

WHEREAS a proposal review team has evaluated the proposals and is recommending the acceptance of the proposal, including the alternate for the sailor's sword replacement, submitted by Conservation Solutions, Inc. of Santa Fe, NM in the amount of \$98,921.66,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that the proposal, including the alternate for the sailor's sword replacement, submitted by Conservation Solutions, Inc. of Santa Fe, NM for the Soldiers and Sailors Monument Conservation Project is hereby accepted, and

BE IT FURTHER RESOLVED that the City Manager Sharon Addison is hereby authorized to enter into an Agreement for Professional Services with Conservation Solutions, Inc. on behalf of the City for the Soldiers and Sailors Monument Conservation Project in the amount of \$98,921.66.

Seconded by Council Member Joseph M. Butler, Jr.

Prior to voting on the foregoing resolution, Council Member Butler questioned whether to replace the sword at the cost of \$11,000 because it is an easy target for vandals. He stressed that he still supports the project.

Michael Lumbis, City Planner stated that the sword was part of the original monument but it is unknown why it is no longer there. He commented that the discussion of the committee did not focus on the sword so there is no strong opinion one way or the other.

Council Member Smith pointed out that the sword is higher on the monument and it would be difficult for vandals to reach.

Mr. Lumbis read from Conservation Solutions' proposal on how they would ensure against future lost.

Council Member Macaluso stated that she would like to see it restored to its original condition.

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

Resolution No. 12 - Authorizing Sale of Real Property, Known as 522 Mohawk Street to Fred Cumoletti, 5759 Sunset Terrace, Cicero, New York 13039

Introduced by Council Member Jeffrey M. Smith

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 522 Mohawk Street, approximately 40' x 123' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 01-16-412.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$2,900.00 submitted by Fred Cumoletti for the purchase of Parcel No. 01-16-412.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Anthony Garcia upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by Council Member Teresa R. Macaluso

Prior to voting on the foregoing resolution, Mayor Graham said this is the former Rose Ward property. He pointed out that \$20,000 in revenue from property sales was budgeted in this year and given the range of properties that were taken for tax sale, there will be extra revenue.

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

Resolution No. 13 - Accepting Proposal of Armory Associates, LLC For Actuarial Services

Introduced by Council Member Teresa R. Macaluso

WHEREAS it is the responsibility of local municipalities to comply with Government Accounting Standards Board (GASB) and

WHEREAS the Government Accounting Standards Board has issued Statement No. 45 “Accounting and Financial Reporting by Employers for Postemployment Benefits Other than Pensions” (OPEB) which requires the City to obtain an actuarial analysis biennially of the City’s post employment health benefits and

WHEREAS the City has solicited proposals for the services of qualified health benefit actuaries to comply with the requirements of Governmental Accounting Standards Board (GASB) Statement No. 45 for the fiscal years ending 2012-13 through 2015-16, and

WHEREAS a proposal has been received from Armory Associates, LLC to provide to the City an actuarial analysis of the City’s post employment health benefits in accordance with the requirements of Governmental Accounting Standards Board (GASB) Statement No. 45, and

NOW THEREFORE BE IT RESOLVED that the City Manager is hereby authorized and directed to execute the Agreement with Armory Associates, LLC for the purpose of providing to the City an actuarial analysis of the City’s post employment health benefits in accordance with the requirements of Governmental Accounting Standards Board (GASB) Statement No. 45, in the amount of \$6,500 for Fiscal Year 2012-13, \$1,300 for Fiscal Year 2013-14, and \$6,800 for Fiscal Year 2014-15 and \$1,500 for Fiscal Year 2015-16.

Seconded by Council Member Joseph M. Butler, Jr.

Prior to voting on the foregoing resolution, Council Member Burns asked where Armory Associates, LLC is located.

James Mills, replied that they are located out of Syracuse, New York. He added that Burke Group, Inc is from Rochester, New York and USI Consulting Group is from downstate. In response to Council Member Butler’s question, Mr. Mills stated the Burke Group was the previous group that was used.

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

DISCUSSIONS

Appointment to Watertown Local Development Corporation Board

Mayor Graham stated that this position was previously held by the former City Manager and Mr. Mix has done an exemplarily good job representing the City in the absence of a permanent City Manager. He explained that Council chooses this appointment and it does not have to be the City Manager. He suggested that Mr. Mix continue in this position but a formal appointment be done.

Council Member Burns proposed the following resolution:

Resolution - Appointing Kenneth A. Mix, Planning and Community Development Director, to the Board of the Watertown Local Development Corporation

Introduced by Council Member Roxanne M. Burns.

BE IT RESOLVED that the City Council of the City of Watertown hereby appoints Planning and Community Development Coordinator Kenneth A. Mix as the City's representative on the Watertown Local Development Corporation Board of Trustees.

Seconded by Council Member Teresa R. Macaluso

Rules waived by Motion of Council Member Joseph M. Butler, Jr., seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

Prior to voting on the foregoing resolution, Mr. Mix stated that he is willing to continue if it is the Council's desire.

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

Waiver of Fees for City Facilities

Mayor Graham referenced the letter from Attorney Burrows regarding waiving fees and stated that the broader issue is that there may be a lack of clarity in the City Code. He stated that staff should explore this with users and make recommendations if changes are necessary. He indicated that he is not a believer in changing things after events have occurred and encouraged users with problems with the fee structure address it with staff way in advance of the event. In regards to the RV fee questioned by Mr. Simpson, he suggested the City Manager and Superintendent of Parks and Recreation review this issue.

Zoo Board Discussion of the Karl R. Burns Learning Center

Mayor Graham reviewed the history of this project stating that in March of 2010 there was a proposal made to demolish the Aviary but Council wanted to see it saved and recast the facility

into something else. Unfortunately, he said the bids were too high and with audio visual equipment the project could be close to million dollars. He suggested that it might be better to replace the structure with an open air pavilion that mimics the unique architecture design of the Aviary and this would provide a nice outdoor area. In addition, he stated the zoo has a strong desire to make improvements to the Children's Zoo and the additional money that was budgeted for this project could be put towards that. He would like the City and Zoo Board to have some fast-tracked talks in the next few weeks in order to have an agreed upon plan by Labor Day. He recommended capping the City's financial involvement at \$400,000 - \$500,000. He stressed that he would like a plan in place prior to any demolition.

Bob Gorman, Vice President of the Thompson Park Conservancy stated that there is a good working relationship with local government and in the last year, they have been trying to work with the City to enhance the educational experience at the zoo. He said that he thinks the board would be very agreeable to immediately start working with the city to make these improvements at a cost that would not be a problem for the City and taxpayers.

Council Member Burns remarked that she has always been a huge supporter of the zoo and feels that it is one of the gems of the City but no one ever expected the bids to come in like they did. She said in hindsight this might not have moved in the right direction but she thinks they can have a great partnership with the Conservancy.

Mr. Gorman stated that tonight's proposal gives them the opportunity to redo a large section of the zoo and create a learning center that will celebrate the agriculture history of the community.

Council Member Burns added that the interactive experience of a petting zoo for children is a good thing.

John Wright, Executive Director of the Thompson Park Zoo noted that they have already researched this in order to tell the story of Jefferson County agriculture which would benefit tourism. He thought this would have better support from the community.

Mayor Graham asked that Ms. Addison and City staff start discussions with the zoo in order for this to move ahead quickly.

Council Member Butler stated that he would like to spend the money on something that is heavily used and creates a great family experience.

Council concurred to meet on July 30, 2012 at 6:00 pm at the zoo to review proposals.

Property Offers – 111 Orchard Street South

Council Member Butler stated there are a few offers on this property and asked if the sewer line would be completed this year.

Kurt Hauk, City Engineer responded that the other projects in process now will go through the fall so it would probably be done next spring.

Council Member Butler asked that the people that showed an interest in the property be informed of this.

Clinton Street Reconstruction

Council Member Butler stated he shares Dr. White's concerns and wondered how much more pavers or stamped concrete between the sidewalks and curbs would cost.

Mr. Hauk said that he can get pricing from the contractor but noted that pavers are usually used in business areas such as Public Square and grass is used in residential areas.

Council Member Butler asked if National Grid will be installing all new lights.

Mr. Hauk replied that at this point he cannot answer that but he is already working with National Grid to resolve the ornamental lighting issue.

Council Member Butler added that if there is new construction there should be all new lights and he is willing to help work with National Grid.

Flower Avenue West

Council Member Butler commented that he has had a few complaints regarding the grass that was placed between the curb and sidewalk on Flower Ave West and wondered if someone could look at it.

240 East Main Street

Council Member Butler asked if someone could get a response to the Ms. Smith that spoke during the Privilege of the Floor.

Parking on Gotham Street

Council Member Macaluso stated that she is still getting complaints regarding the parking in the morning on Gotham Street.

Council Member Smith confirmed that it occurs between Keyes Ave and Sterling Street and mentioned that it is only one hour parking.

JB Wise lot and Pavilion

Mayor Graham reminded Council that this is completed in time of this Saturday's Farmers' Market and invited everyone to attend this event in place of a formal ribbon cutting ceremony.

Stateway Plaza

Mayor Graham stated that he and Council Member Butler attended a meeting with the owners and Mr. Donegan and the value of a connecting road is appreciated by everyone but the landowners expect to be compensated. He mentioned that there are different options but Council needs to be prepared to spend some money on this project.

Mr. Hauk explained that the original plan had an estimated expense of 2.5 million dollars which included two traffic lanes, a turning lane, a traffic light, and property acquisition. He stressed this would need to be redesigned but it would cost at the least 2 million dollars.

Mayor Graham pointed out that Council needs to decide if it wants to make that kind of commitment because that it is a large dollar figure for a street. He suggested Council look at the aerial photos that Mr. Mix has and the drawing that Mr. Hauk has on their own time to determine if they are prepared to move ahead.

Council Member Butler stated that he thinks there is room to negotiate in terms of the land. He said that there is room for development in this area which involves jobs and sales tax revenue and there would be return on the money that is invested.

Mayor Graham stated that the land owners were interested in making zone changes which would need to go through the Planning Board. He stressed that Council would need to be willing to do a bond ordinance for 2 millions dollars because the City will not be able to pay it out of Operating Expenses.

In response to Council Member Butler's suggestion to do a traffic count study, Council Member Macaluso stated that it would be hard to get an accurate traffic count because it is a parking lot.

Mayor Graham mentioned that the premise of this is to finish the road to encourage further development of the western side of the City but this is a leap of faith in that no one knows what the future development will be.

Mr. Hauk discussed the issues of connecting to the storm drainage to the DOT pond.

Mayor Graham said that in order to move ahead then Council needs to authorize some type of negotiation and design work but reiterated that Council needs to decide if it wants to authorize 2.5 million dollar bond ordinance to put the road through there.

Cave Gate

Mayor Graham mentioned that Mr. Anderson is in the audience this evening and was looking for a status update on the caves. He reminded Council that the City was going to build a gate but the cost had gone up to \$15,000.

Elliott Nelson, Assistant to the City Manager commented that he was working with Mr. Hauk on this and the gate that was recommended by the Niagara Frontier Society would be inside the opening and formed to the side to fit. He indicated that this would involve clearing away some of the rock face and vegetation. He said that he and Mr. Hauk could draw up an estimate in the near future.

Bike Auction Results

A memo regarding the bike auction results was available for Council to review.

Letter from Anne Nans of Sackets Harbor, NY

A letter was presented to Council regarding hydraulic fracturing wastewater into the Sewage Treatment Plant.

Letter from Watertown Chamber of Commerce – Fire Ball Run

The Watertown Chamber of Commerce would like to hold a Farmers’ Market in the usual location on Tuesday, September 25, 2012 during the Fire Ball Run.

Sales Tax Revenue – June 2012

A report of the Sales Tax Revenue was available to Council to review.

A D J O U R N M E N T

At the call of the chair, meeting was duly adjourned at 8:29 p.m. until Monday, July 30, 2012 at 6:00 p.m. by motion of Council Member Roxanne M. Burns, seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

Ann M. Saunders

City Clerk