

**CITY COUNCIL MEETING WORK SESSION
CITY OF WATERTOWN
September 9, 2013
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 Addison, City Manager

City staff present: Elliott Nelson, Ken Mix, Kurt Hauk, Gene Hayes, Erin Gardner

DISCUSSION

Barben Avenue Sewer Extension – Kurt W. Hauk, City Engineer

Mayor Graham announced that Peter Dephtereos, owner of 285 Barben Avenue was in attendance this evening.

Kurt Hauk, City Engineer reviewed his memo from May 2012 stating the rough estimate for the project was \$50,000 and stressing that all three properties (282, 285 and 286 Barben Avenue) would be required by code to connect to the new sewer line.

Council inquired of the ownership and interest of the other property owners.

Mr. Hauk stated that they are on septic but that he does not know the owners of those other properties. He said that he assumes that they would have the same situation in that their septic goes out the back of their homes. He clarified that he has not had any contact from the other property owners.

Council Member Burns asked Mr. Dephtereos if he knew the names of his neighbors that are affected by this and if they are interested in connecting to the City sewer system.

Mr. Dephtereos replied that he does not know this information. He explained that his leach field is failing and he is seeing puddles in his backyard.

Mr. Hauk explained the map stating that because of the topography of the street, the houses to the east have long services to tie into the Barben Ave sewer heading east. He further explained that there are several pockets of properties throughout the City, such as in the Sand Flats, that are on septic due to the grade of the land or the distance to the main sewer line. Referring to the map, he said that the red line shows the length of the sewer line to be installed and connected to the Western Outfall Sewer.

Discussing 276, 280 and 281 Barben Avenue, Mr. Hauk clarified that these properties are tied into the sewer line on the other side of Barben Avenue hill and explained that 282, 285 and 286 Barben Avenue

could not be connected to this because the lateral would be going uphill. Therefore, he advised that these properties need to be connected towards the west due to the grade and drop.

Council discussed the grade of the hill in reference to its peak and the affected properties and Mr. Hauk indicated that a survey would need to be done prior to a design noting that sometimes there is not enough drop to extend the line in a certain direction.

Mr. Hauk stressed that if this sewer line is built then all three properties must tie into it per the code. In response to Council Member Macaluso's inquiry, he said the cost to tie into the main would vary by property depending on if the internal plumbing needed to be reconfigured.

Council Member Burns stated that there has been a lack of communication to the other two property owners as to whether they want this. She said that if the other two property owners want this then the City should proceed. She added that if Council decides to do this on behalf of the Dephtereos' and the other two property owners do not want this then Council is forcing it upon them. She said that she asked the City Manager to obtain the other two property owner's names and remarked that they should be contacted before this conversation continues. She noted that she does not like the idea of septic systems within the City but before a decision is made, these property owners have a right to know that Council is considering this.

Council Member Smith stated that this ultimately comes down to a policy decision in how to handle City residents that are not availed to the services provided by the City. He added that if the two other property owners are not willing then the City could consider delaying the tie into the sewer until once their septic system starts to fail.

Mr. Hauk pointed out that he did not want to contact the other property owners until he knew Council wanted to forge ahead with this.

Mayor Graham suggested that it may be cheaper to replace the failing septic system. He also pointed out that Council might have to look at other neighborhoods in which the same problem exists.

Council asked staff to reach out to these other property owners.

Ogilvie Site Cleanup – Kenneth A. Mix, Planning and Community Development Coordinator

Ken Mix, Planning Coordinator said that he hoped to get direction from Council as to what the end vision for this property would be because it will have an impact on the foundation cleanup. He explained the location of the building and concrete slabs which will need to be removed in any area that will be built upon. He reminded Council of Neighbors of Watertown's plan for a subdivision which would cost the City approximately \$900,000 for the infrastructure of the new street. He noted that he has not heard any of the members of Council say that they are willing to spend that amount of money for a new street. Another alternative, he said, would be to develop single family homes on the existing streets and leave the interior land for open green space. He pointed out that the second option would save the City money because all of the concrete would not need to be removed. He explained the map showing buildable and unbuildable areas and informed Council of the work that would need to be done in each area.

He commented that the environmental cleanup will be done to the level that will allow single family homes regardless of how the foundation is handled.

In response to Council Member Butler's inquiry, Mr. Mix explained the remainder of the environmental cleanup that needs to be done and said that it will be done at the same time as the foundation removal.

Council Member Smith mentioned that the Brownfield Grant money is used for the cleanup and wondered if CDBG money could be used towards infrastructure due to the City's new designation. He said that a complete cleanup should be done and the slabs should be removed through the Brownfield grant.

Mayor Graham questioned whether a residential street with 19 units is still necessary since there have been several new housing projects developed. He indicated that he would opt for the more conservative approach of a few residential lots on the existing streets.

Mr. Mix pointed out that the houses should appraise for more than they cost to construct and that this may be a problem for this location. He suggested this project may be more suitable for Habitat for Humanity.

Council discussed possibilities for a recreational area in the center of the property agreeing that there should be grass or trees planted. The size of the lots was discussed and Mr. Mix explained that a wide entrance from the street was left open in order to access the green space in the center.

Council Member Macaluso said that the City should try to sell the lots.

Council Member Burns agreed that an attempt to sell the lots should be made then they should be offered to Habitat for Humanity.

Council Member Butler remarked that he would start with a developer first to see if there is an interest in building on the lots. If that was not successful, then he said the City should try to sell the lots prior to giving them to Habitat for Humanity.

Council discussed the need for infill housing in the City and suggested increasing the size of the lots as well as offering to increase the size of the existing lots surrounding the property.

Mr. Mix clarified that the two parts to the cleanup are environmental and foundation removal. He assured Council that the environmental cleanup will be completed and is eligible under the Brownfield Grant. He stressed that the decision to be made is the extent of the foundation cleanup to be done.

Council agreed upon the option for buildable sites along the existing streets and an unbuildable site in the interior portion of the property.

Vending Fees and Permits – Erin E. Gardner, Superintendent of Parks & Recreation and Ann M. Saunders, City Clerk

Council Member Macaluso stated that it should be up to the vendor to decide if the event is profitable enough to apply and pay the fee for the permit.

Council Member Butler mentioned that vendors might not want to set up at these events if they have to pay a \$50 fee.

Erin Gardner, Parks and Recreation Superintendent stated that this fee would pertain to events such as all day sporting tournament in which there is a potential to make money. She stressed that she is trying to get more control and consistency in these situations.

Council Member Smith questioned how small events would be handled when a vendor may not even make \$50 in sales.

Mayor Graham mentioned that even if there was no fee, there still should be a registration process to ensure that they are certified. He agreed with Council Member Macaluso and noted that there are other private eateries in the neighborhood that pay property taxes. With a small event, he said that a professional vendor probably would not be interested in it or people might pack a picnic. He said that Council has to depend on Ms. Gardner to impose policies that deal with the long list of deficiencies in that department.

Council Member Macaluso asked if the vendor could set up on the street with a Vending in Public Streets permit.

Ann Saunders, City Clerk explained that a Vending in Public Streets permit is an annual license with a fee of \$50. She said the problem with issuing this permit for the type of vendor that Superintendent Gardner is referencing is that they have the right to set up any where in the city throughout the whole year. She stated that this needs to be regulated more because you would not want this licensed vendor to set up at a sponsored event which is handling its own concessions. To avoid this type of conflict, she indicated that the City Clerk's Office and the Parks and Recreation Department are trying to work together for consistency. She also warned that if Thompson Park is considered "Vending in Public Streets", then a licensed vendor could show up there during closed events such as the 4th of July Fireworks.

Council Member Macaluso said she will support this because she agreed that the City does not want just anyone showing up at those locations. She asked how to enforce this.

Ms. Gardner stated that when someone rents the fields, they will be asked if they plan on having vendors at their events. She said that it is the responsibility of the person renting the field to inform the City because their Certificate of Liability is for the activity on that field.

From a competition standpoint, Council Member Butler questioned whether the vendor has to be linked to the event holder.

Mrs. Saunders advised that the hope is to connect the vendor with the organizer of the event so that the City is assured that the organizer is agreeing to have someone come in to sell concessions.

In terms of a free market, Council Member Smith expressed concern that the event holder picks the vendor and all other vendors are excluded.

Council Member Burns argued the event holder should be the one to decide on the vendor at their own event especially if the sponsor is a food vendor. She agreed with Council Member Macaluso adding that when attending a t-ball game, it is not necessary to have refreshments but an all-day sporting event is different.

Mayor Graham, Council Member Macaluso and Council Member Burns confirmed that they would support this ordinance.

Council Member Smith said that he wants to ensure that these vendors meet the standards of New York State prior to serving food to the public.

Ms. Gardner replied that a copy of the NYS Department of Health Certificate is obtained. In regards to events that have no sponsor, she explained that a vendor can contact the Parks and Recreation Department directly.

Work session ended at 8:10 p.m.

Ann M. Saunders
City Clerk