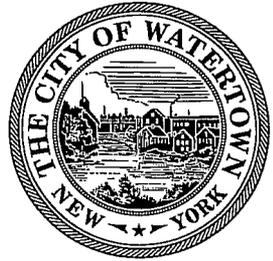


City Council
Work Session Agenda
June 14, 2010
7:00 p.m.



Discussion:

1. J. Wise Parking Lot

Memorandum from City Engineer Kurt Hauk, June 4, 2010

2. Park Rules and Chapter 75 of City Code, Alcoholic Beverages

Memorandum from Planning and Community Development
Coordinator Kenneth A. Mix, June 10, 2010

3. Whitewater Park Deck - Home Rule Legislation

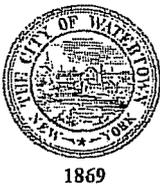
Staff will have a map available on Monday so that we can discuss
moving forward on this matter.

Reports:

1. Tourism Fund Balance, City Comptroller, James E. Mills, June 10, 2010.

Upcoming Events:

DBA Downtown Cleanup: Saturday, June 26, 2010, 8:00 a.m. – 12:00 p.m.



CITY OF WATERTOWN
ENGINEERING DEPARTMENT
MEMORANDUM

DATE: 4 June 2010

TO: Mary Corriveau, City Manager

FROM: Kurt Hauk, City Engineer

SUBJECT: J.B. Wise Parking Lot Update

This memorandum provides an update to the J.B. Wise Parking Lot Reconstruction Project as you requested for members of the Council.

The Engineering Department has updated the estimate of the project using the pricing gained from the bids for Breen Avenue and the Greensview Sewer Upgrade. These newer numbers allowed us to update 27 of the 86 items in the estimate. Enclosed is a breakdown showing the project estimate as of October 2009 and the revised estimate as of June 2, 2010.

There are currently four options for the progression of this project.

Option 1: Maintain the current schedule and scope. This option would afford the Council time to evaluate the fiscal situation prior to advertising for bids in the spring of 2011. At that point the decision would be to proceed with the project or delay it due to fiscal constraints.

Option 2: Maintain the current schedule and offer one alternate bid. Lu Engineers has provided a proposal for providing the additional design work to provide a separate bid alternate that would limit the work to essentially the utility work, the creation of the access driveways, and the required site work to facilitate this construction. This would provide the Council with options in the spring of 2011 as to the affordability and final scope of the project. The proposal from Lu Engineers is enclosed.

Option 3: Bid the project early with the current scope. This option would allow the bidding of the project as soon as practicable in an attempt to take advantage of the excellent bid pricing the City has seen for both the Breen Avenue and Greensview projects. If the trend in bidding holds, a reduction as much as 40% could be realized in comparison to the original estimate. This is not guaranteed however, and this course of action will require a remobilization in 2011, as the contractor will in all likelihood be only able to complete the utility work in 2010. This option will not allow sufficient time for the development of an alternate bid.

Option 4: Perform the utility work in-house, bid the parking lot work in the spring of 2011. This option would allow the City to complete the installation of the utilities and certain other portions of the project using DPW and Water Dept. crews. The remaining work would then be completed by a contractor in 2011. This course of action would allow the City to complete the project while realizing a large cost savings to the project.

This option must be weighed carefully, however, against the cost of the maintenance work that would be deferred as a result of this change in priority of effort along with the cost to have Lu Engineers modify the bid package.

Time is of the essence for a decision if options 3 or 4 are to be chosen. Final approval will need to be granted by DEC for the project. If the decision for option 3 would be given today, the bids for option 3 could be received as early as the third week in July. If the decision is given for option 4, City crews will need to readjust their remaining work schedules, and order materials with sufficient time to complete the installations in 2010.

Cc. Gene Hayes, DPW Superintendent
Gary Pilon, Water Superintendent
Jim Mills, Comptroller
Ken Mix, Community Development Coordinator

2 Encl.
Comparison of Estimates
Lu Engineers Alternate Proposal

J.B. Wise Parking Lot
Revised Estimated Using Selected City Values (10-27-09)

Based on the Most Recent Cost Estimate

<u>Sources</u>		<u>Budgeted</u>	<u>Difference</u>	<u>Uses</u>		
2005 EPF	\$ 309,125.00	\$ 309,125.00	\$ -	Design		\$ 215,405.00
2007 EPF	\$ 505,000.00	\$ 505,000.00	\$ -	Construction	Base Lot	56.2% \$ 1,450,810.00
Water Fund*	\$ 205,768.35	\$ 400,000.00	\$ 194,231.65		Amenities	24.5% \$ 631,169.00
City Match to EPF (GF)	\$ 814,125.00	\$ 814,125.00	\$ -		Sewer	10.4% \$ 269,173.00
Sewer Fund**	\$ 301,213.50	\$ 200,000.00	\$ (101,213.50)		Storm	1.4% \$ 45,523.00
	\$ 2,135,231.85	\$ 2,228,250.00	\$ 93,018.15		Water	7.1% \$ 183,340.00
Additional GF needed	\$ 765,188.15	\$ -	\$ (765,188.15)	Inspection		\$ 105,000.00
	\$ 2,900,420.00	\$ 2,228,250.00	\$ (672,170.00)			\$ 2,900,420.00

*Water Fund total includes 7% of the cost of design and inspection.

**Sewer Fund total includes 10% of the cost of design and inspection.

J.B. Wise Parking Lot
Revised Estimate Using 2010 Bid Values (6-2-10)***

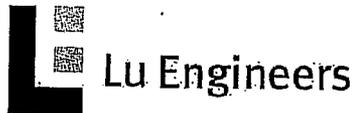
Based on the Most Recent Cost Estimate

<u>Sources</u>		<u>Budgeted</u>	<u>Difference</u>	<u>Uses</u>		
2005 EPF	\$ 309,125.00	\$ 309,125.00	\$ -	Design		\$ 215,405.00
2007 EPF	\$ 505,000.00	\$ 505,000.00	\$ -	Construction	Base Lot	52.5% \$ 1,155,825.00
Water Fund*	\$ 193,277.34	\$ 400,000.00	\$ 206,722.66		Amenities	28.7% \$ 631,169.00
City Match to EPF (GF)	\$ 814,125.00	\$ 814,125.00	\$ -		Sewer	9.7% \$ 212,981.00
Sewer Fund**	\$ 243,984.90	\$ 200,000.00	\$ (43,984.90)		Storm	1.1% \$ 32,327.00
	\$ 2,065,512.24	\$ 2,228,250.00	\$ 162,737.76		Water	7.7% \$ 168,717.00
Additional GF needed	\$ 455,911.76	\$ -	\$ (455,911.76)	Inspection		\$ 105,000.00
	\$ 2,521,424.00	\$ 2,228,250.00	\$ (293,174.00)			\$ 2,521,424.00

*Water Fund total includes 7.7% of the cost of design and inspection.

**Sewer Fund total includes 9.7% of the cost of design and inspection.

***Adjustment of 27 lines out of 86 total lines



April 22, 2010

Kurt Hauk, P.E.
City Engineer
City of Watertown
245 Washington Street
Watertown, New York 13601



J.B. Wise Site Revisions

P10-092

Dear Mr. Hauk:

We are pleased to submit this proposal for additional services for the J.B. Wise Parking Lot Reconstruction Project. This proposal should be considered an addendum to the Consultant Agreement and Scope of Services for J.B. Wise Parking Lot Reconstruction. All applicable Articles and Attachments within the original agreement shall remain in place.

The General Scope of the additional services to the Construction Documents will include all required modifications to the design drawings and Specifications needed to allow a Bid Alternative (Alternative #1) to the overall project. Bid Alternative #1 would create an option for the project that would allow for a separate Bid Price provided for the following: Remove the existing left turn-in access for the northwest flowing traffic along Black River Parkway; remove existing exit-out (onto Black River Parkway) and replace with a new three lane drive (1 in and 2 out); create a new Marshall Place Access drive; create a new Anthony Drive access drive into the J.B. Wise Parking Lot and provide all previously proposed utility modifications, including adjustments as needed to meet the existing and proposed elevations required for this alternative only.

The proposed Alternative Bid #1 documents shall require new "stand alone Site Construction Drawings and references to applicable unchanged drawings, i.e.: existing condition maps, etc. to define the proposed alternatives necessary to make the desired changes to the parking area, while creating the least amount of disturbance to the existing (non-improved by Alternative #1) parking areas. The Stormwater Pollution Prevention Plan will require modifications to address the reduced site disturbance and the General Permit GP-0-10-001.

This proposal will adjust the necessary sections of the "Consultant Agreement and Scope of Services for J.B. Wise Parking Lot Reconstruction, issued April 2007. The revised sections are as follows:

- Architectural/Engineering Consultant Agreement
 - Pg. 1 – Revise Agreement Date
 - Pg. 16 – Sign and re-date modified agreement

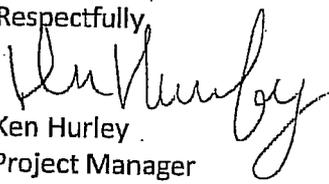
- Attachment A – identify “Amendment to Agreement”, revise dates and revise Total estimated cost.
- Section 1 – General
 - 1.01 Project Description – Add Bid Alternative #1 to the project description.
- Section 3 – Preliminary Design
 - 3.03 Cost Estimate – Revised initial estimate required date.
- Section 6 – Detailed Design
 - 6.04 Cost Estimate – addition of Bid Alternative #1 to the project estimate.
- Attachment C – Staffing Rates, Hours , Reimbursables and Fee
 - Add Section “Bid Alternative #1” to the project estimating sheet and supply tasks, hours and Direct labor hours.
 - Staffing Table – revise hours for Bid Alternative A.
 - Direct non-salary Cost – Adjust table for Bid Alternative costs.
 - Summary – Adjust summary to reflect Bid Alternative A costs.

The Total increase in the original Project price would be \$14,285. The cost reflects the additional design drawings, specification modifications and additions and a new Stormwater Pollution Prevention Plan to reflect the reduced amount of site disturbance and new stormwater treatment facility required due to “rain garden” removal from the overall design. Upon your review and acceptance, we shall revise the Consultant Agreement to reflect all of the above noted revisions.

Please do not hesitate to contact me should you have any questions or comments.

Thank you for considering Lu Engineers for this project.

Respectfully,


Ken Hurley
Project Manager

City of Watertown (Authorized Agent)


Robert W. Hutteman, P.E., President, Lu Engineers


R. Scott Prior, P.E., Vice President, Lu Engineers

Date

04/23/10
Date

4/23/2010
Date

June 10, 2010

To: The Honorable Mayor and City Council
From: Kenneth A. Mix, Planning and Community Development Coordinator
Subject: Park Rules

At the May 10th work session, discussion on park rules revolved mostly around alcohol. Attached is an updated version of Chapter 216, though not much has changed. There were several changes talked about for Chapter 75. I've made the changes in the attached draft.

The changes concerning alcoholic beverages also affect other public spaces, such as streets. The City Council should decide what it wants for an "open container" law. Perhaps parks should be treated differently than other public spaces.

Proposed Amendments to the City Code for Parks and Recreational Areas – 5/11/10

Chapter 216: PARKS, PLAYGROUNDS, AND RECREATIONAL AREAS

ARTICLE I General Provisions

§216-1. Enumeration of parks, playgrounds, and recreational areas.

The rules set forth in this chapter apply to the following parks and recreational areas:

PARKS AND RECREATIONAL AREAS

Alex T. Duffy Fairgrounds
Bicentennial Park
Factory Square Park
Fairgrounds Trail
John C. Thompson Park
John Q. Adams Recreation Fields (aka North Elementary Fields)
Marble Street Park
Route 3 Handicap Fishing and Boating Access
Veterans' Memorial Riverwalk
Waterworks Park
Whitewater Park

PLAYGROUNDS

Academy Street Playground
Emerson Place Playground
Hamilton Street Playground
Jefferson Street Playground
Kostyk Field
Portage Street Playground
Taylor Playground
Thompson Street Playground

Note: The boundaries of these parks and recreational areas need to be described somewhere.

§216-2. Driving and parking of vehicles.

- A. No person shall operate any motor vehicle, as defined in New York State Vehicle and Traffic Law § 125, as the same may be amended from time to time, within any park, playground, or recreational area, other than on asphalt or stone drives, unless authorized by the City Manager.
- B. No person shall operate any limited use vehicle, snowmobile or all-terrain vehicle, as defined in New York State Vehicle and Traffic Law §§ 121-c, 2221 or 2281, as the same may be amended from time to time, within any park, playground or recreational area.

C. No person shall park any motor vehicle other than in a designated parking area, unless authorized by the City Manager. Parking areas shall be designated by signs placed at the direction of the City Manager.

§216-3. Closing hours.

A. All playgrounds, Bicentennial Park (except for holders of camping permits), Factory Square Park, Fairgrounds Trail, John Q. Adams Recreation Fields, Marble Street Park, Route 3 Handicap Fishing and Boating Access, and Waterworks Park shall be closed to the public from 9 p.m. to 6 a.m.

B. John C. Thompson Park shall be closed from 12 a.m. to 6 a.m.

C. Veterans' Memorial Riverwalk shall be closed from 11 p.m. to 6 a.m.

D. Alex T. Duffy Fairgrounds and Whitewater Park have no closing hours.

E. Closing hours do not apply to the following:

- (1) Members and guests of the Watertown Golf Club, Inc. in Thompson Park for the purpose of going to and from the golf course.
- (2) Participants and spectators of ball playing on city-lit playing fields and courts, except that the lit basketball court and baseball field at John Q. Adams Recreation Fields shall be open no later than 11:00 p.m.
- (3) The City Manager may waive the closing hours for special events.

§216-4. Injury or damage to plants or property.

No person shall damage, injure, remove or destroy any grass, shrubbery, plants, trees, signs, buildings, improvements or other property within any park, playground or recreational area, unless authorized by the City Manager.

§216-5. Glass containers.

No person shall possess, deliver or use any type of glass container within any park, playground or recreational area.

§216-6. Alcoholic beverages.

Consumption of alcoholic beverages within any park or recreational area shall be governed by City Code Chapter 75, as the same may be amended from time to time.

§216-7. Tobacco Products.

Use of tobacco products shall be prohibited in all playgrounds and within 100 feet of the playground structure in John C. Thompson Park.

§216-8. Rubbish.

- A. All rubbish, as defined at City Code § 161-1.1, created from an activity with any park or recreational area shall be properly disposed of in trash receptacles provided or taken away for proper disposal.

Note: Should large event organizers be required to provide a dumpster? A take-in/ take-out policy could be implemented for everyone by not providing trash cans.

- B. It is prohibited to throw rubbish onto the ground or into the river.
- C. It is also prohibited to bring rubbish into any park or recreational area that is not generated by activities in the park or recreational area for the purposes of disposing of it.

§216-9. Open Fires.

Open fires are prohibited, except within the confines of cooking grills, fire places, or fire pits, if provided, within any park, playground or recreational area.

§216-10. Bicycles.

No person shall operate a bicycle in any park, playground or recreational area, except on a roadway or designated bicycle path in accordance with the rules in Chapter 91 of the City Code, as the same may be amended from time to time.

Note: Chapter 91 needs to be updated.

§216-11. Fishing.

- A. Fishing is permitted in the following parks and recreational areas: Marble Street Park, Waterworks Park, Factory Square Park, Whitewater Park, Veterans' Memorial Riverwalk, Bicentennial Park, Fairground Trail, and the Route 3 Handicap Fishing and Boating Access.
- B. Fish shall not be cleaned within any park or recreational area. No dead fish or remains thereof shall be left on any park or recreational area property or discarded in the river.

§216-12. Boats.

- A. Non- motorized boats or other flotation devices may be launched or put into the river within designated areas at the following parks and recreational areas: Marble Street Park, Waterworks Park, Factory Square Park, Whitewater Park, Bicentennial Park and the Route 3 Handicap Fishing and Boating Access.
- B. Boats or other flotation devices shall not be launched at any other public park or recreational area along the river.

§216-13. Swimming.

Swimming is prohibited in the Black River at all parks and recreational areas.

§216-14. Concessions.

Note: Is there a need to regulate mobile concessionaires in parks?

§216-15. Dogs.

Dogs shall be regulated pursuant to Chapter 81 of the City Code, as the same may be amended from time to time.

Note: Is there a need to regulate dogs beyond the requirements of Chapter 81?

§216-16. Noise.

Noise shall be regulated pursuant to Chapter 205 of the City Code, as the same may be amended from time to time.

Note: Chapter 205 needs to be updated.

§216-17. Enforcement.

This Chapter shall be enforced by the City of Watertown Police Department.

§216-18. Penalties for offenses.

Any person, firm or corporation violating any provision of this chapter shall, upon conviction, be subject to a fine of not less than \$50 nor more than \$250. Each day of a continued violation is a separate and distinct offense.

Proposed Amendments to the City Code – 6/10/10

CHAPTER 75: ALCOHOLIC BEVERAGES

§75-1. Restrictions, permits.

- A. Consumption of alcoholic beverages by parties of ten (10) or more people in public places within the boundaries of the City of Watertown is prohibited unless such consumption takes place in duly licensed commercial premises which are licensed by the State of New York for the sale and consumption of alcoholic beverages or unless such consumption is pursuant to a duly authorized permit of the City of Watertown. A "public place" is defined as property, either publicly or privately owned, which is used by the public for the normal transaction of everyday business or which is held open to the public for its use.
- B. The City of Watertown shall control the issuance of permits to allow consumption of alcoholic beverages as follows:
 - (1) All parks, playgrounds, and recreational areas: permit to be issued by the Parks and Recreation Department
 - (2) Other city locations: permit to be issued by the Police Department.

§75-2. Evidence of consumption.

The possession of an open container of any form of intoxicating beverage shall be prima facie evidence of such consumption.

§75-3. Community events waiver.

The City Manager may waive the requirement to obtain a permit to consume alcohol for community events.

§75-4. Penalties for offenses.

Any person, firm or corporation violating any provision of this chapter shall, upon conviction, be subject to a fine of not less than fifty dollars (\$50.) nor more than two hundred fifty dollars (\$250.) Each day of a continued violation is a separate and distinct offense.

June 10, 2010

To: The Honorable Mayor and City Council
From: James E. Mills, City Comptroller
Subject: Tourism Fund

The following is an update on the financial status of the Tourism Fund in response to the request made by Councilman Butler on Monday, June 7th.

Beginning Fund Balance – 7/1/2009		\$ 233,987
FY 2009/10 Revenues		
Hotel Occupancy Tax – Actual	\$156,329	
Hotel Occupancy Tax – Projected 4 th quarter	\$ 45,000	
Interest Earnings – Actual and projected	\$ 1,162	
Gifts and Donations - Actual	\$795	
Total Revenues – Actual and Projected		\$203,286
FY 2009/10 Expenses		
Thousand Islands Regional Tourism Development	(\$35,913)	
Jefferson County Historical Society	(\$ 5,000)	
Holiday Decorations	(\$ 3,656)	
Transfer to General Fund	(\$231,750)	
Total Expenses – Actual and Projected		<u>(\$276,319)</u>
Projected Ending Fund Balance – 6/30/2010		<u>\$160,954</u>
Projected unreserved fund balance appropriated to FY 10/11		\$ 100,000
Projected unreserved fund balance - undesignated		<u>60,954</u>
Projected Ending Fund Balance – 6/30/2010		<u>\$ 160,954</u>