

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
February 21, 2006
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: **COUNCILMAN STEPHEN J. BRADLEY
COUNCILMAN TIMOTHY R. LABOUF
MAYOR GRAHAM**

ABSENT: **COUNCILMAN PETER L. CLOUGH
COUNCILMAN JEFFREY M. SMITH**

ALSO PRESENT: **CITY MANAGER MARY M. CORRIVEAU
ATTORNEY JAMES BURROWS**

City Manager Corriveau presented the following reports to the Council:

- 1 - Authorizing Public Sale of City Owned Property
- 2 - Approving Bid for Purchase of Diesel Powered Generator, Kraft Power Corp.
- 3 - Amending the Code of the City of Watertown Chapter 310, Zoning, to Require a Fence Permit
- 4 - 2006 Small Cities CDBG Application Public Hearing
- 5 - Monthly Financial Report
- 6 - The Essential New York Initiative

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 February 6, 2006 and the adjourned meeting of February 13, 2006 was dispensed with and accepted as written by motion of Councilman LaBouf, seconded by Councilman Bradley and carried with all voting in favor thereof.

COMMUNICATIONS

Minutes were received from the library's board meeting.

ABOVE PLACED ON FILE

Communication was received from the Planning Board recommending that the City

Council approve the Zoning Ordinance amendment, Section 310-26.1, Fences.

ABOVE PLACED ON FILE

Communication was received from David Antonucci regarding the 318 Academy St. property.

ABOVE PLACED ON FILE

PRIVILEGE OF THE FLOOR

Mike Pistolese, Rt. 126 Black River, addressed the chair concerning property on 318 Academy Street and said he doesn't know why the Council voted against selling him the property. He stated that since 1999 he has owned over 13 properties and all passed inspection by Mr. McWayne. Mr. Pistolese explained that the lots he owns on Arsenal Street were formerly a car dealership. He said that years ago three people came on his property and smashed the windows of the 26 cars on his lot and it is taking a long time to get rid of all the cars. Mr. Pistolese also said that the City Charter states that a person has one year to bring a house up to code and said he will do it.

Mayor Graham said he was sorry for any confusion over the vote of selling the house. He reiterated that the vote needed to pass with 4/5 votes not 2/3. He said that the City has the authority to revisit the issue but that it would not be worth it with only three Council people present.

Mr. Burrows explained to Mr. Pistolese that the City can sell property at public sale or private sale and the City can accept or not accept any bid. He said with threatened litigation, it is not appropriate to revisit this issue now.

Mayor Graham said he appreciated everyone's comments and welcomed Steve Weed to the meeting.

Mrs. Corriveau said Council meetings will be available to the public on Mr. Weed's website.

RESOLUTIONS

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the City of Watertown owns certain lots of land acquired at Tax Sale and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as follows:

<u>Parcel Number</u>	<u>Address</u>
11-04-121.000	318 Academy St.

And,

WHEREAS title said land has been retained by the City of Watertown, and

WHEREAS the City Council deems the properties to be excess and not required for any City purposes, and

WHEREAS the City Council desires to ensure that properties such as those listed above be brought into compliance with all applicable provisions of the New York State Fire Prevention and Building Code and all City of Watertown zoning and health codes within one (1) year 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 13 adopted by the Council, on June 6, 1977, the Comptroller of the City of Watertown be and he hereby is authorized to publish a Notice of Sale of the parcels of land above mentioned once a week for three (3) consecutive weeks in the official newspaper of the City of Watertown to the effect that said parcels of land will, at 10:00 a.m. on the 16th day of March, 2006, in the 3rd Floor City Council Chambers in the Municipal Building, 245 Washington Street, be offered individually for sale to the highest bidder and there present, under the conditions herein set forth:

The aforesaid parcels are conveyed, together with all rights and privileges affecting the same, and also together with all buildings, improvements and appurtenances located upon said described parcels, and

BE IT FURTHER RESOLVED that the City Comptroller be and he hereby is authorized to offer for said parcels subject to the rights of the said City Council to reject any and all bids, and

BE IT FURTHER RESOLVED that the highest bidder deposit at least 10 percent (10%) of the bid price at the same time of each said bid with the City Comptroller, and

BE IT FURTHER RESOLVED that said parcels of land shall be offered for sale for cash only, and

BE IT FURTHER RESOLVED that the Notice of Sale, any offer to purchase, and any deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the State Fire Prevention and Building Code and all City of Watertown zoning and health codes within one (1) year of the City's delivery of the deed to the buyer, the City shall have the right to seek reversion of title to the City, and

BE IT FURTHER RESOLVED that the said bids shall be submitted to the Mayor and City Council for their approval or rejection, and

BE IT FURTHER RESOLVED that the City reserves the right to withdraw any parcel prior to the public sale of said parcels.

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY

Mayor Graham suggested that the Academy Street property be deleted from this Resolution.

Mrs. Corriveau recommended the resolution be tabled because it is not cost effective to advertise only one property.

Mayor Graham said Council could table the resolution or delete it.

MOTION WAS MADE BY MAYOR JEFFREY E. GRAHAM TO DELETE 318 ACADEMY STREET FROM THE RESOLUTION.

MOTION WAS SECONDED BY COUNCILMAN TIMOTHY R. LABOUF.

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING AMENDMENT AND DEFEATED WITH MAYOR GRAHAM VOTING YEA AND COUNCILMAN BRADLEY AND COUNCILMAN LABOUF VOTING NAY

MOTION WAS MADE BY COUNCILMAN TIMOTHY R. LABOUF TO TABLE THE RESOLUTION

MOTION WAS SECONDED BY COUNCILMAN STEPHEN J. BRADLEY AND CARRIED WITH ALL VOTING YEA EXCEPT MAYOR GRAHAM VOTING NAY

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the City Purchasing Department advertised and received sealed bids for the purchase of one new and unused diesel powered generator, per our bid specifications, for installation at the City's Public Works Facility on Newell Street, and

WHEREAS invitations to bid were issued to thirteen (13) prospective bidders, and

WHEREAS three (3) bids were submitted and publicly opened and read in the City Purchasing Department on Wednesday, January 25, 2006, at 11 a.m., and

WHEREAS the City Purchasing Agent Robert J. Cleaver reviewed the bids submitted with Department of Public Works Superintendent Eugene P. Hayes and Line Crew Chief Ralph Green, and

WHEREAS Mr. Cleaver is recommending that the City Council accept the bid submitted by Kraft Power Corp, 601 Cambridge Avenue, Syracuse, New York 13211, in the amount of \$25,906.40 as the lowest qualifying bid meeting City specifications,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York accepts the bid submitted by Kraft Power Corp., 601 Cambridge Avenue, Syracuse, New York 13211, in the amount of \$25,906.40 for the purchase of one new and unused diesel powered generator for use at the City's DPW facility on Newell Street.

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY AND CARRIED WITH ALL VOTING YEA.

ORDINANCES

INTRODUCED BY COUNCILMAN STEPHEN J. BRADLEY

WHEREAS the Code of the City of Watertown, New York imposes restrictions upon the location, height, and type of fences which may be erected upon property within the City, and

WHEREAS many residents and/or property owners in the City of Watertown may be generally unfamiliar with the various regulations and restrictions pertaining to fences, and

WHEREAS the City Council of the City of Watertown believes that it is in the best interests of residents of the City of Watertown to be familiar with the regulations and restrictions pertaining to fences before undertaking any effort or expense to erect, construct, or alter any fence within the City, and

WHEREAS the City Council of the City of Watertown believes that greater awareness of the regulations and restrictions associated with fences may be accomplished through an advance permitting process, and

WHEREAS the City Planning Board reviewed the proposed amendment to Chapter 310, Zoning, of the Code of the City of Watertown at its February 7, 2006 meeting and adopted a motion recommending approval of it, and

WHEREAS the County Planning Board reviewed the proposed amendment on February 28, 2006, and

WHEREAS a public hearing was held on the proposed zoning ordinance amendment on Monday, March 6, 2006, after due public notice,

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

Chapter 310 of the Code of the City of Watertown is hereby amended with the addition of the following:

§310-26.1 Fences

- H) No person, firm or corporation shall commence the erection, construction, or alteration of any fence without first applying for, and obtaining, a fence permit from Code personnel for each such fence.
- I) Application for a fence permit shall be made to Code personnel on forms provide by Code personnel and shall contain the information requested on such forms plus any additional information as may be determined as necessary by Code personnel for duly processing such application.
- J) All applications shall be signed by the owner of the real property upon which such work is to be performed. Where such application is made by a person other than the owner, it shall be accomplished by written authorization of the owner that the proposed work is authorized by the owner and that the applicant is authorized to make such application, and

BE IT FURTHER ORDAINED, that this Amendment to the City Code shall take effect as soon as it is published once in the official newspaper of the City of Watertown, New York.

SECONDED BY COUNCILMAN TIMOTHY R. LABOUF.

MOTION WAS MADE BY COUNCILMAN STEPHEN J. BRADLEY TO SCHEDULE A PUBLIC HEARING ON THE FORGOING ORDINANCE FOR MONDAY, MARCH 6, 2006, AT 7:45 P.M.

MOTION WAS SECONDED BY COUNCILMAN TIMOTHY R. LABOUF AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

CDBG

MOTION WAS MADE BY COUNCILMAN TIMOTHY R. LABOUF TO SCHEDULE A PUBLIC HEARING ON THE 2006 SMALL CITIES CDBG APPLICATION FOR MONDAY, MARCH 6, 2006, AT 7:30 P.M.

MOTION WAS SECONDED BY COUNCILMAN STEPHEN J. BRADLEY AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Snow Removal Downtown

Councilman Bradley said he spoke with the DBA president and asked about snow removal in front of downtown businesses. He said some letters should be sent to business owners who are not removing snow in a timely manner.

Council on the Internet

Councilman LaBouf extended his welcome to Mr. Weed as well and thanked Mrs. Corriveau for working on a plan to bring the Council meetings to the public. He said it is exciting to see how this plan develops.

Traffic Signals

Councilman LaBouf mentioned hiccups and bottlenecks resulting from traffic signals that may not be synchronized. He asked if there were any plans in the works to address this issue.

Mrs. Corriveau said the lights at Mill, Factory and State Streets and on Public Square would be addressed during the Streetscape program.

Mayor Graham added that the light in front of First Baptist is what seems to slow things up on the Square.

Councilman LaBouf said turning lanes are not clear in some areas and noticed that issue a lot on State Street. He added that there should be a review of the system, a new traffic study.

Mr. Hayes said there are three types of signals including timed, loop activated and time based coordination. The latter, he stated, establishes the flow of traffic. Mr. Hayes said that once one traffic signal is tweaked, four more lights may be taken out of alignment.

He added that if the timing can be controlled, that's what he's looking for but every light is adjustable.

Councilman LaBouf said that overall, he does feel that the lights are appropriately set up.

Councilman Bradley asked if the adjustments to the lights could be made sooner rather than later. He mentioned adjusting the lights on State Street toward the beginning of the Streetscape project.

Councilman LaBouf said an eight-year-old traffic study doesn't reflect current needs of the community.

Housing

Mayor Graham commented that there was a good story on Channel 7 about the housing issue in Northern New York. He explained that the story stated there is not a housing shortage, but there are several landlords who have vacant apartments. As 2007 comes, he continued, there will still, however, be a need for housing.

Water/Sewer Contracts

Mayor Graham told Council that they should be cognizant of the difference in water and sewer rates around the City.

Paddock Arcade Businesses

Mayor Graham welcomed owners of businesses in the Paddock Arcade, including the coffee shop and beauty salon.

Airport Transfer

Mrs. Corriveau said the airport transfer is being finalized.

Speed Signs

Mayor Graham mentioned adding a speed sign on Rt. 283 coming into the City.

Councilman Bradley said the City should look at adding a speed sign coming into the City on Washington Street. He said people seem to speed through the school zone everyday.

Conference of Mayors

Mayor Graham said he would be attending the Conference of Mayors in Albany this weekend.

City Manager Appraisal

Mayor Graham asked if the City Manager Appraisal was completed.

Mrs. Corriveau said it would be completed by the end of this month.

Mayor Graham inquired if the contract with the City Manager expires this year.

Mrs. Corriveau responded that it expires in May and that letters will soon be written to the Council.

Mural Arts Program

Mrs. Corriveau said Jane Golden, from Philadelphia, PA, would be coming to Watertown to speak about the Mural Arts Program in her community. Mrs. Corriveau said Ms. Golden would be in Watertown March 9 and March 10. She said letters have been sent out to organizations across the community. Mrs. Corriveau said on March 10 Ms. Golden will speak with students in the area. Mrs. Corriveau extended the invitation to the public as well as Council.



Mayor Graham asked if anyone else wished to address the Council.

Wayne Zimmer, Katherine Street, commented on the traffic signals on Pearl and Factory Streets.

AT THE CALL OF THE CHAIR THE MEETING WAS DULY ADJOURNED AT 7:45 P.M. BY MOTION OF COUNCILMAN BRADLEY, SECONDED BY COUNCILMAN LABOUF AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Amanda C. Lewis
Deputy City Clerk