

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
March 15, 2004
7:00 P.M.**

MAYOR JEFFREY A GRAHAM PRESIDING

PRESENT: **COUNCILMAN STEPHEN J. BRADLEY
COUNCILWOMAN ROXANNE M. BURNS
COUNCILMAN PETER L. CLOUGH
COUNCILMAN TIMOTHY R. LABOUF
MAYOR GRAHAM**

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

City Manager Corriveau presented the following reports to the Council:

- 1 - Reappointment to the Transportation Commission - Kathleen Cooke
- 2 - Reappointment to the Transportation Commission – Helen Wilson
- 3 - Reappointment to the Transportation Commission – Mary Kinne
- 4 - Accepting Bid for Radios and Equipment, Wells Communication
- 5 - Agreement for Public Benefit Services Between the City of Watertown and the Miss New York State Scholarship Pageant
- 6 - Approving Sale of Real Property Known as 1162 Boyd Street, Parcel No. 12-11-134 to Neighbors of Watertown, Inc.
- 7 - Approving a Contract with New York State Department of Economic Development for Empire Zone Administration Grant
- 8 - Approving the Revised Site Plan for Home Depot Located at 391 College Heights Drive, Parcel No.8-40-101.101
- 9 - Approving the Site Plan for the Construction of a 3,472 Sq. Ft. Banking Facility Located at 1816 State Street, Parcels No. 12-19-103, 12-19-103.002, 12-19-103.003, 12-19-103.004 and 12-19-103.005
- 10 - Approving the Site Plan for the Construction of a 3,600 Sq. Ft. Fastrac Markets Convenience Store and a 6,384 Sq. Ft. Fueling Facility at 1709 State Street, Parcel No. 5-16-302
- 11 - Approving the Request to Change the Approved Zoning Classification of Parcels No. 10-05-101 and 10-05-102 Located at 202-206 Clinton Street From Residence “A” District to Residence “C” District
- 12 - Approving the Request to Change the Approved Zoning Classification of Parcels No. 14-01-101, 14-01-138 and 14-01-139 from Limited Business to Health Services District and Parcels No. 14-01-102 Through 14-01-114 From Residence “B” District to Health Services District
- 13 - Vehicular and Pedestrian Access to the J.B. Wise Parking Lot
- 14 - Report on Legislative Compensation

15 – Executive Session - the employment history of a particular individual; current litigation against the City.

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 March 1, 2004 was dispensed with and accepted as written by motion of Councilwoman Burns, seconded by Councilman Clough and carried with all voting in favor thereof.

COMMUNICATIONS

The following communications were received from the City Planning Board:

1. Recommending approval of the zone change request submitted on behalf of Samaritan Medical Center to change the approved zoning classification of Parcels No. 14-01-101, 14-01-137 through 14-01-139 located along the north side of Woodruff Street from Limited Business to Health Services District and Parcels No. 14-01-102 through 14-01-116 located along the north side of Woodruff Street from Resident "B" to Health Services District contingent upon certain parcels as outlined being excluded from the zone change.
2. Recommending site plan approval for the request submitted on behalf of Watertown Savings Bank for the construction of a 3,472 sq. ft. banking facility located at 1816 State Street, Parcels No. 12-19-103, 12-19-103.002, 12-19-103.003, 13-19-103.004 and 12-19-103.005 contingent upon meeting certain requirements as outlined in the resolution.
3. Recommending revised site plan approval for the request submitted on behalf of Home Depot, USA contingent upon meeting certain requirements as outlined in the resolution.
4. Recommending approval of the zone change request submitted by Dr. Gerald Schneeberger to change the approved zoning classification of 202-206 Clinton Street, Parcels No. 10-05-101 and 10-05-102 from Residence "A" District to Residence "C" District.
5. Recommending site plan approval for the request submitted on behalf of Fastrac Markets for the construction of a 3,600 sq. ft. convenience store and a 6,384 sq. ft. fueling facility at 1709 State Street, Parcel No. 5-16-302 contingent upon meeting certain requirements as outlined in the resolution.

ABOVE PLACED ON FILE

Claim against the City was received from Freeman Bus Corporation for property damage which occurred on December 4, 2003 when a bus and the City's ladder fire truck were involved in an accident at the intersection of State and Central Streets.

ABOVE REFERRED TO THE BOARD OF AUDIT

Mayor Graham proclaimed the week of March 22-27, 2004 as **Inhalant and Poison Awareness Week** in the City of Watertown.

PRIVILEGE OF THE FLOOR

Sam Thomas, 324 Winslow Street and member of Preservation Watertown, addressed the chair requesting that City Council withdraw Part 3 of the SEQRA form concerning the Iron Block demolition and pursue the impact statement. He referred to a letter from Klepper, Hahn & Hyatt that indicates that Buildings 29 and 31 have wood framing which appeared to be in good condition as of December 2002. The letter indicated that they did not feel that they were in danger of collapse. Mr. Thomas remarked that the demolition costs are much higher than the stabilization costs would be. He stated that Preservation Watertown stands firm on the position of preserving these buildings and remarked that they would be willing to work with the City.

Brian Gorman, Vermont resident and member of Preservation Watertown, addressed the chair reading from a prepared statement indicating that they would like to form a public/private partnership with the City, Neighbors of Watertown and Preservation Watertown. Preservation Watertown would deliver a check for \$5,000 as a start to its fund-raising efforts and the City would immediately rescind its negative declaration under SEQRA and put the demolition on hold. He remarked that under this plan the City would retain ownership and liability for the buildings until the long-term restoration is undertaken. They would be leased to Neighbors of Watertown or its designee. Preservation Watertown would undertake a private fund drive to aid in stabilization and administration costs. He asked that Council take time to think about this and he asked that a meeting be scheduled this week.

Deanna Nelson, legal counsel representing Preservation Watertown, addressed the chair explaining to the Council that SEQRA requires a hard look and asked that the negative declaration be rescinded.

Eric Dunk, a Court Street property owner, addressed the chair also on behalf of Preservation Watertown, concerning the safety issue of the demolition since there is also demolition going on from the fire. He questioned the demolition at this time since the letter from the engineering firm indicated that there was no imminent danger in the collapse of the buildings.

RESOLUTIONS

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

RESOLVED that the following individual is reappointed to the Transportation Commission for a three (3) year term commencing April 1, 2004 and expiring on April 1, 2007:

Kathleen Cooke
18680 County Route 162
Watertown, New York 13601

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

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

RESOLVED that the following individual is reappointed to the Transportation Commission for a three (3) year term commencing April 1, 2004 and expiring on April 1, 2007:

Helen Wilson
336 W. Main Street, Apt. 422
Watertown, New York 13601

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

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

RESOLVED that the following individual is appointed to the Transportation Commission for a three (3) year term commencing April 1, 2004 and expiring on April 1, 2007:

Mary Kinne
114 California Avenue
Watertown, New York 13601

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

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of new radios and equipment, per our specifications, for use by the City's Fire Department, and

WHEREAS invitations to bid were issued to four (4) prospective bidders with one (1) bid being received, and

WHEREAS on Thursday, March 4, 2004, at 11 a.m., the sole bid received was opened and publicly read, and

WHEREAS City Purchasing Agent Robert J. Cleaver and Fire Chief Daniel Gaumont reviewed the sole bid received and are recommending that the City Council

accept the bid received from Wells Communication of Great Bend, New York, in the amount of \$130,207.00,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York accepts the bid submitted by Wells Communication of Great Bend, New York, for the purchase of new radios and equipment in the amount of \$121,287, along with an optional bid in the amount of \$8,820 for the purchase and installation of an additional Motorola MTR 2000 base station complete with antenna.
SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the City Council has received a request for funding to support the Miss New York State Scholarship Pageant, and

WHEREAS the City Council of the City of Watertown desires to appropriate \$4,000 from the 2004-2005 Publicity Account to support the Miss New York State Scholarship Pageant, and

WHEREAS the Miss New York State Scholarship Pageant 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 Miss New York State Scholarship Pageant, 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 Miss New York State Scholarship Pageant, AND

BE IT FURTHER RESOLVED that Mayor Jeffrey E. Graham is hereby authorized and directed to execute the Agreement on behalf of the City Council.

SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the City owns a certain lot of land known as 1162 Boyd Street, and designated as Parcel No. 12-11-134, and

WHEREAS the City Council deems the property to be excess and not required for any City purpose, and

WHEREAS the City of Watertown, Neighbors of Watertown, Inc., and the Development Authority of the North Country are partners in the NDC Rehabilitation Program, and

WHEREAS Neighbors of Watertown, Inc. has offered to purchase this parcel as part of the NDC Housing Rehabilitation Program at a sale price subject to available funds after sale of the property by Neighbors of Watertown to a homeowner and all other obligations are met, but in no case will it be greater than Six Thousand Three Hundred Sixty-Three Dollars (\$6,363.00) and that the sale price will be deferred until Neighbors of Watertown resells the property,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York approves the sale of property known as 1162 Boyd Street, Parcel No. 12-11-134 to Neighbors of Watertown, Inc. at the sale price stated above, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, is hereby authorized and directed to execute the sale documents on behalf of the City.

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

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the State of New York grants funds for the administration of Empire Zones, and

WHEREAS the State of New York is making \$35,239 available to the Watertown Empire Zone for its administration, and

WHEREAS the grant funds are administered by New York State Department of Economic Development, and

WHEREAS a contract between New York State Department of Economic Development and the City of Watertown for the disbursement of the grant funds has been drafted, a copy of which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York hereby approves the contract between New York State Department of Economic Development and the City of Watertown for the \$35,239 grant to cover a portion of the cost of the administration of the Watertown Empire Zone, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, is hereby authorized and directed to execute the contract on behalf of the City of Watertown.

SECONDED BY COUNCILMAN TIMOTHY R. LABOUF AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS Dennis Kennelly, P.E., of FRA Engineering, P.C., has made application for site plan approval on behalf of Home Depot USA, Inc., to revise the approved site plan for Home Depot located at 391 College Heights Drive, Parcel No. 8-40-101.101, and

WHEREAS the Jefferson County Planning Board reviewed the site plan at its meeting held on February 24, 2004, pursuant to General Municipal Law Section 239-m, and adopted a motion finding that the project does not have any significant County-wide or intermunicipal 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 March 2, 2004, and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

1. That the owner guarantee that the latest stormwater design will function properly.
2. That the owner maintains the responsibility to remedy any possible occurrences of downstream flooding that may occur***related to a failure of the system.**

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 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 by the City Council of the City of Watertown, New York that site plan approval is hereby granted to Dennis Kennelly, P.E., of FRA Engineering, P.C., on behalf of Home Depot USA, Inc., for revisions to the approved site plan for Home Depot located at 391 College Heights Drive, Parcel No. 8-40-101.101, as shown on plans submitted to the City Engineer on February 11, 2004, contingent upon the applicant making the revisions and meeting the requirements listed above in the City Planning Board's recommendation.

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY

Attorney Burrows indicated that the developer had asked to have the second contingency amended.

Mr. Mix responded that this is just a clarification of what was intended.

MOTION TO AMEND THE SECOND CONTINGENCY MADE BY COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN LABOUF AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE RESOLUTION AS AMENDED AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS Matthew J. Cervini, P.E., of GYMO, P.C., has made application for site plan approval on behalf of Watertown Savings Bank for the construction of a 3,472 sq.ft. banking facility located at 1816 State Street, Parcels No. 12-19-103, 12-19-103.002, 12-19-103.003, 12-19-103.004 and 12-19-103.005, and

WHEREAS the Jefferson County Planning Board reviewed the site plan at its meeting held on February 24, 2004, pursuant to General Municipal Law Section 239-m, and adopted a motion finding that the project does not have any significant County-wide or intermunicipal 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 March 2, 2004, and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

1. That the applicant obtains all required approvals from DOT.
2. That all surface grades for driveway crossings be at an elevation of 6” above the existing centerline of road opposite the proposed driveway openings. There are to be no dipped sections in those areas.
3. That the five existing parcels be combined by way of a new metes and bounds description filed with the County Clerk.
4. That a detail of the manhole that the force main will be connected to located across from Dundon Avenue be submitted.
5. That a copy of the “As-Built” plans or record be submitted for the conclusion of the project.
6. That “Entrance Only” and “Exit Only” signs be added at the appropriate driveway locations.
7. That 7 copies of the revised site plan be submitted for City Council review.
8. That the trees will be replaced if any of the proposed trees to be saved die or are unable to be saved.

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 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 by the City Council of the City of Watertown, New York that site plan approval is hereby granted to Matthew J. Cervini, P.E., of GYMO, P.C., on behalf of Watertown Savings Bank for the construction of a 3,472 sq. ft. banking facility located at 1816 State Street, Parcels No. 12-19-103, 12-19-103.002, 12-19-103.003, 12-19-103.004 and 12-19-103.005, as shown on plans submitted to the City Engineer on March 5, 2004, contingent upon the applicant making the revisions and meeting the requirements listed above in the City Planning Board's recommendation.

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

Concerning the SEQRA Review, Mrs. Corriveau indicated that this review is for the bank site plan.

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS Daniel L. Faldinski, P.E., of Plumley Engineering, P.C., has made application for site plan approval on behalf of Fastrac Markets for the construction of a 3,600 sq. ft. convenience store and a 6,384 sq. ft. fueling facility at 1709 State Street, Parcel No. 5-16-302, and

WHEREAS the Jefferson County Planning Board reviewed the proposed site plan at its meeting held on February 24, 2004, pursuant to General Municipal Law Section 239-m, and adopted a motion finding that the project does not have any significant County-wide or intermunicipal 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 Tuesday, March 2, 2004, and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

1. That 7 copies of the revised site plan be submitted for City Council review.

2. That the location of the existing driveway entrances be maintained as requested by the NYSDOT.
3. That the stormwater runoff be contained on the site.
4. That there are to be no dipped sidewalk sections across any driveway openings.
5. That the applicant obtains all required approvals from the DOT.
6. That landscaping be added along the east side of the property.

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 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 by the City Council of the City of Watertown, New York that site plan approval is hereby granted to Daniel L. Faldzinski, P.E., of Plumley Engineering, P.C., on behalf of Fastrac Markets, for the construction of a 3,600 sq. ft. convenience store and a 6,384 sq. ft. fueling facility at 1709 State Street, Parcel No. 5-16-302, as shown on plans submitted to the City Engineer on March 9, 2004 contingent upon the applicant making the revisions and meeting the requirements listed above in the City Planning Board's recommendation.

SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Amendment No. 45 to the Management and Management Confidential Pay Plan, effective March 29, 2004, as follows:

Executive Secretary to the Civil Service Commission \$30,000

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

(Rules waived by motion of Councilman LaBouf, seconded by Councilman Bradley and carried with all voting in favor thereof)

Commenting on the foregoing resolution, Mrs. Corriveau explained that the Civil Service Commission had selected a person for the position. Elizabeth Morris will be starting work on March 29th.

ORDINANCES

INTRODUCED BY COUNCILMAN STEPHEN J. BRADLEY

BE IT ORDAINED where Donna Schneeberger on behalf of Dr. Gerald Schneeberger has made application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning classification of Parcels No. 10-05-101 and 10-05-102 located at 202-206 Clinton Street from Residence “A” District to Residence “C” District, and

WHEREAS the Planning Board of the City of Watertown reviewed the proposed zone change request at its meeting held on March 2, 2004 and recommended that the City Council approve the zone change as requested, and

WHEREAS the Jefferson County Planning Board reviewed the proposed zone change at its meeting held on February 24, 2004, pursuant to General Municipal Law Section 239-m, and adopted a motion finding that the proposal does not have any significant County-wide or intermunicipal issues and is of local concern only, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change, and

WHEREAS a public hearing was held on the proposed zone change on April 5, 2004, after due public notice, and

WHEREAS the City Council has made a declaration of negative findings of the impacts of the proposed zone change according to the requirements of SEQRA,

NOW THEREFORE BE IT ORDAINED that the zoning classification shall be changed for Parcels No. 10-05-101 and 10-05-102 located at 202-206 Clinton Street, from Residence “A” District to Residence “C” District, and

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect the zone change, and

BE IT FURTHER ORDAINED this Amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown or printed as the City Manager directs.

SECONDED BY COUNCILWOMAN ROXANNE M. BURNS

Motion was made by Councilwoman Burns to schedule a public hearing on the foregoing ordinance for Monday, April 5, 2004 at 7:30 p.m.

Motion was seconded by Councilman Clough and carried with all voting in favor thereof.

INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS

BE IT ORDAINED where Matthew R. Morgia, P.E., of GYMO, P.C., on behalf of Samaritan Medical Center, has made application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning classification of Parcels No. 14-01-101, 14-01-137, 14-01-138, and 14-01-139 located along the west side of Washington Street from Limited Business District to Health Services District, and Parcels No. 14-01-102 through 14-01-116 located along the north side of Woodruff Street from Residence "B" District to Health Services District, and

WHEREAS the Planning Board of the City of Watertown reviewed the proposed zone change request at its meeting held on March 2, 2004 and recommended that the City Council approve the zone change as requested, with the exception of three parcels, so that the change includes the following parcels:

- | | |
|----------------------|-----------------------|
| Parcel No. 14-01-101 | Parcel No. 14-01-107 |
| Parcel No. 14-01-138 | Parcel No. 14-01-108 |
| Parcel No. 14-01-139 | Parcel No. 14-01-109 |
| Parcel No. 14-01-102 | Parcel No. 14-01-110 |
| Parcel No. 14-01-103 | Parcel No. 14-01-111 |
| Parcel No. 14-01-104 | Parcel No. 14-01-112 |
| Parcel No. 14-01-105 | Parcel No. 14-01-113 |
| Parcel No. 14-01-106 | Parcel No. 14-01-114, |

And,

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change, and

WHEREAS a public hearing was held on the proposed zone change on April 5, 2004, after due public notice, and

WHEREAS the City Council has made a declaration of negative findings on the impacts of the proposed zone change according to the requirements of SEQRA,

NOW THEREFORE BE IT ORDAINED that the zoning classification shall be changed, in accordance with the Planning Board's recommendation, for Parcels No. 14-01-101, 14-01-138 and 14-01-139 from Limited Business to Health Services District, and Parcels No. 14-01-102 through 14-01-114 from Residence "B" to Health Services District, and

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect the zone change, and

BE IT FURTHER ORDAINED this Amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown or printed as the City Manager directs.

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY

Motion was made by Councilwoman Burns to schedule a public hearing on the foregoing ordinance for Monday, April 5, 2004 at 7:45 p.m.

Motion was seconded by Councilman Clough and carried with all voting in favor thereof.

Prior to the vote on the foregoing public hearing, Mayor Graham stated that while he would vote on the hearing, he was waiting for an opinion from Attorney Slye concerning his voting on the ordinance since he is employed by the hospital's board president.

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Vehicular and Pedestrian Access to the J.B. Wise Parking Lot

Mrs. Corriveau explained that Planning had put together two proposals for access to the J.B. Wise lot. One comes off from Public Square and the other comes off from Court Street.

Mrs. Hoffman, Downtown Development Specialist, presented the designs of both proposals, explaining that the Public Square access would be one-way and the Court Street access, which would be a connection between the Court Street lot and the J. B. Wise lot, would allow for two-way traffic. She explained that the Public Square access would mean six less parking spaces and would take approximately 25' from the Woodruff II site.

Mr. Lumbis remarked that trees and shrubs would be used as a buffer between the one-way access road and the present sidewalk, which would be moved slightly.

Mr. Mix explained that the Court Street access would cost between \$140,00 to \$150,000 and that doesn't include the cost of acquire property that would be needed. The other proposal would cost about \$75,000.

Mayor Graham stated that the proposal for the Woodruff Site II would act as a funnel and it would take people directly down to the parking lot.

Councilman Bradley commented that if the Court Street proposal is used, which he would prefer, there would have to be a traffic light installed. He commented that many accidents occur in that area and this would help to slow the traffic down.

Council agreed to seek input from the Downtown Development Board, as well as the Downtown Business Association.

Mrs. Corriveau remarked that the streetscape committee will be sitting down with Clough Harbour Associates for design of the streetscape project and these proposals will be brought to the group.

Councilman Clough suggested input from Watertown Trust and Mr. Brett and his associates.

Mrs. Corriveau advised that a streetscape design public meeting would be held in mid-April.

Report on Legislative Compensation

Mrs. Corriveau supplied a report on this subject and also attached a schedule of salary increases received by the City of Watertown personnel from 1990-2005 for Council's review.

Spring Shutoffs

Mrs. Corriveau advised that the last day for water and sewer bill payments would be April 2nd. The target date for shutoffs will be April 5th.

Mr. Pilon explained that 923 disconnect notices will be sent out. Multi-family homes will have notices posted to ensure that the tenants are aware of the situation. He also explained the procedure for putting the fees on the property tax bill.

Fire Departments

Mayor Graham advised that he sent thank you letters to the City's Fire Department as well as to the many volunteer departments that assisted in fighting the Court Street fire.

Sales Tax Meeting

Mayor Graham indicated that the joint sales tax meeting with the County that he and Councilman Clough will be attending is scheduled for tomorrow at 8 A.M.

EXECUTIVE SESSION

MOTION WAS MADE BY COUNCILMAN CLOUGH TO MOVE INTO EXECUTIVE SESSION TO DISCUSS THE EMPLOYMENT HISTORY OF A PARTICULAR INDIVIDUAL AND CURRENT LITIGATION AGAINST THE CITY.

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

Council moved into Executive Session at 7:58 p.m.

Council reconvened at 8:33 p.m.

The following resolution was introduced:

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS, certain premises owned by Key Corp. in the City of Watertown at 200 Washington Street and also known as parcel No. 10-06-124 on the Assessment Roll and Map of the City, are assessed upon the Assessment Roll of the City for the payment of taxes of the year 2001:

200 Washington Street - \$2,500,000.00

and

WHEREAS, Key Corp. has heretofore duly instituted in the Supreme Court proceedings to review the assessment and the determination of the Board of Review of the City for the roll year 2001 and such hearings are now pending trial, and

WHEREAS, the parties have agreed that the assessment shall be reduced to \$1,500,000.00 for the roll year 2001, and

WHEREAS, the City reserves the right to adjust the assessment to new additions or improvements upon the subject property if additions to, or improvements upon, the subject property are made which warrant a change in assessment, and

WHEREAS, the compromise and settlement of the aforesaid proceedings upon the above basis is deemed in the best interests of the Respondents;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that the City Attorneys of the City of Watertown be and are hereby authorized, empowered and directed to enter into a formal Stipulation of Settlement and Discontinuance of the aforesaid proceedings with the Counsel of Key Corp. on the following terms and conditions”

1. That the total assessment for the aforesaid premises owned by Key Corp. and known as 200 Washington Street, Watertown, New York and designated as

Tax Parcel No. 10-06-124 shall for the tax year 2001 be reduced to \$1,500,000.00, and as so adjusted by finally fixed and determined and that the Assessment Roll be corrected as required.

2. That the Petitioner is entitled to a refund for excess taxes heretofore paid by it under protest for tax roll 2001 and the City of Watertown, New York, as one of the tax jurisdictions shall refund as its share, and the respective shares, of the other affected tax jurisdictions, shall refund as their respective shares as follows:

<u>Tax Year</u>	<u>Amount of Excess Tax</u>	
<u>2001</u>		
City of Watertown	Rate 13.174)	\$13,174.00
County of Jefferson	Rate 9.70)	\$ 9,700.00
Watertown City School District	(Rate 13.2191)	\$13,219.10

3. That the tax jurisdictions shall pay no interest on the refund(s) made to Petitioner.
4. That the City reserves the right to adjust the assessment on the subject property if Petitioner makes additions to, or improvements upon, the subject property which warrant a change in assessment. That in this instance, the Petitioner reserves the right to challenge the assessment on the subject property as related to the additions or improvements.
5. That an Order of the Supreme Court shall be made and entered settling the aforesaid proceedings to review said assessment without cost to either party as against the other and upon the terms and conditions set forth above, and

BE IT FURTHER RESOLVED, that the City Assessor and all other municipal officers, agents, or employees be and they hereby are directed to do such acts and things as may be necessary to give full force and effect to the aforesaid settlement.

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

(Rules waived by motion of Councilman Clough, seconded by Councilman LaBouf and carried with all voting in favor thereof.)

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 8:34 P.M. BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN BRADLEY AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton

City Clerk