

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
March 17, 2003
7:00 P.M.**

MAYOR JOSEPH M. BUTLER PRESIDING

PRESENT: **COUNCILWOMAN ROXANNE M. BURNS
COUNCILMAN PETER L. CLOUGH
COUNCILMAN PAUL A. SIMMONS
COUNCILMAN JEFFREY M. SMITH
MAYOR BUTLER**

ALSO PRESENT: **CITY MANAGER MARY M. CORRIVEAU
CITY ATTORNEY ROBERT J. SLYE**

City Manager Corriveau presented the following reports to the Council:

- 1 - Authorizing Supplemental Benefits for Employees Ordered to Active Duty in Connection with the Global War on Terrorism
2. - Approving Bid for Storm Sewer Separation and Street Reconstruction of Bellew Avenue, Luck Brothers, Inc.
- 3 - Accepting Bid for Sidewalk Program, Capital Construction, Inc.
- 4 - Authorizing the Sale of A One and a Half Acre Parcel Located in City Center Industrial Park and Located on Waterman Drive to J.E.T. Warehouse Rentals, Inc.
- 5 – Authorizing Sale of City’s Tax Liens to State of New York Municipal Bond Bank Agency
- 6 - Approving the Grant Disbursement Agreement for a \$25,000 Grant From The Main Street New York Program Through the Empire State Development Corporation
- 7 - Approving the Site Plan for the Construction of a 3,960 Sq. Ft. Byrne Dairy Store and Fueling Facility at 1003 Coffeen Street, Parcels No. 8-15-113.2 and 8-15-113
- 8 - Authorizing Submission of an Economic Development Assistance Application to the Small Cities Community Development Block Grant Program for Ceramor Defense Corporation LLC
- 9 - Monthly Reports (New Financial Executive Summary)
- 10- GASB 34
- 11- Public Square Fountain

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 3, 2003 were dispensed with and accepted as written by motion of Councilwoman Burns, seconded by Councilman Clough and carried with all voting in favor thereof.

COMMUNICATIONS

From the City Assessor advising that the following persons have offered to negotiate the sale and purchase of the following described City owned properties:

Jill Bruce Wiley for 118 Orchard St. North, Parcel No. 7-05-108.000
David G. Hall for 225 Rexford Place, Parcel No. 10-05-107.000
Elaine Granger for 683 Flower Street, Parcel No. 4-19-305
Edward Kreutter for 45 Eastern Blvd, Parcel No. 5-13-116.000

ABOVE PLACED ON FILE

The following communications were received from the City Planning Board:

1. Recommending that Council approve the revised site plan submitted by Harry Wilson, Chairman of the Board of Trustees, Watertown Elks Lodge #496 for 728 Bradley Street, Parcel No. 1-03-131, contingent upon the revised site plan being submitted to City Council for review.
2. Recommending that Council approve the site plan submitted for Byrne Dairy for the construction of a 3,960 sq. ft. Byrne Dairy store and fueling facility at 1003 Coffeen Street, Parcels No. 8-15-113.2 and 8-15-113.

ABOVE PLACED ON FILE

Claim against the City was received from Dawn Currier who fell on the curb on Water Street.

ABOVE REFERRED TO THE BOARD OF AUDIT

Mayor Butler proclaimed the week of March 17th as **Inhalant & Poisons Awareness Week** in the City of Watertown. Mr. William Bowman, Executive Director of ASAC accepted the proclamation.

PRIVILEGE OF FLOOR EXTENDED

Donald Thompson, 710 Morrison Street and member of R.A.S.S.P. addressed the Council asking about the status of the proposals to modify the zoning laws in the City so that the salt pile scenario could not occur again in any other part of the City.

Attorney Slye commented that he had made a report for Council and had provided copies to Mr. Thompson.

Mayor Butler remarked that this has been discussed, but no action had been taken yet.

Mr. Thompson responded that R.A.S.S.P. is specifically interested in oversight for industrial sites in the future.

The following individuals addressed the chair urging Council to support the EDZ boundary recommendations:

John Wheeler, V.P. of Finance for Climax Manufacturing Co.

Robert Cantwell, Town of Clayton Supervisor

Stewart Rattan, Chaumont Garage Owner

Kevin Mc Auliffe, Attorney for the Edgewood Resort

Justin Collello, Frontenac Crystal Springs Water

Michael Countryman, Town of Lyme Deputy Supervisor

Mike DeCario, Black River Flea Market and Drive Inn

PUBLIC HEARING

AT 7:30 P.M. MAYOR BUTLER ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING THE APPLICATION TO THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR CERAMOR DEFENSE CORPORATION LLC.

MAYOR BUTLER DECLARED THE HEARING OPEN

Mr. Mix advised those present that Ceramor Defense Corporation LLC makes ceramic body and vehicle armor. The proposal is to take this grant funding and loan money to the company. The funds accumulated from repayment of the loan have to be expended on future economic development activities such as business development and job creation/retention. Mr. Mix explained that while he doesn't have a specific time frame, he would assume that within two to three months, the money should be here and the company could start up.

Mayor Butler thanked Mr. Fayle and Mr. Alexander for working with the company to convince them to locate in Watertown and for putting together the financing needed for the machinery and equipment.

Mr. Fayle spoke in support of bringing this company to our community.

Mr. Alexander thanked Mr. Mix for his outstanding cooperation in helping make this come together. He also thanked Mrs. Corriveau, City staff and the City Council.

MAYOR BUTLER DECLARED THE HEARING CLOSED AT 7:37 P.M.

RESOLUTIONS

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the Federal Government is activating members of the Reserves of the U.S. Armed Forces and National Guard in support of the Global War on Terrorism, and

WHEREAS officials and employees of the City of Watertown who are required to respond to active duty may experience financial and personal hardships in this service to their country,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves the provision of supplemental benefits to its unionized, management, and management confidential employees, a copy of the supplemental benefits negotiated is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the Mayor, Joseph M. Butler, is authorized and directed to execute this supplemental benefits document on behalf of the City of Watertown.

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

Commenting on the foregoing resolution, Mrs. Corrival explained that the only change in this document is that it eliminates authority for employees to carry over additional vacation days.

INTRODUCED BY COUNCILMAN PAUL A. SIMMONS

WHEREAS the City Purchasing Agent and Earth Tech, advertised and received sealed bids for the storm sewer separation and street reconstruction of Bellow Avenue, and

WHEREAS invitations to bid were issued to seventeen (17) prospective bidders, and

WHEREAS the five (5) bids received were publicly opened and read on Tuesday, February 25, 2003, at 11:00 a.m., and

WHEREAS the bids received have been reviewed Frank Grande, PE, Earth Tech, the City Engineering Department, the City Purchasing Department and the NYS Department of Transportation, and they are recommending that the City Council accept

the bid submitted by Luck Brothers, Inc., Plattsburgh, New York in the amount of \$2,051,708.17,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the bid submitted by Luck Brothers, Inc., Plattsburgh, New York in the amount of \$2,051,708.17 for the storm sewer separation and street reconstruction of Bellew Avenue, and

BE IT FURTHER RESOLVED that acceptance of this bid is contingent on City Council approval of a bond ordinance to pay for the project, and

BE IT FURTHER RESOLVED that Mayor Joseph M. Butler is hereby authorized and directed, on behalf of the City, to execute any documents in connection with this bid award.

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

INTRODUCED BY COUNCILMAN JEFFREY M. SMITH

WHEREAS the City Purchasing and City Engineering Departments have advertised and received sealed bids for the labor and materials needed to replace sidewalks within the City of Watertown, and

WHEREAS bids were issued to four (4) prospective bidders, and

WHEREAS the sole bid received was publicly opened and read on Friday, February 28, 2003, and

WHEREAS City Purchasing Agent Robert J. Cleaver and Thomas Maurer, City Engineering Department, have reviewed the bid received and are recommending that the City Council approve the bid submitted by Capital Construction Inc., Watertown, NY, in the amount of \$1,368,721,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the bid submitted by Capital Construction Inc., Watertown, NY, in the amount of \$1,368,721, and

BE IT FURTHER RESOLVED that acceptance of this bid is subject to the City Council approving the bond ordinance to fund this project.

SECONDED BY COUNCILWOMAN ROXANNE M. BURNS

Commenting on the foregoing resolution, Councilman Clough stated that this would require \$60,000 to hire people to help the full-time staff. He stated that the City will be

moving into budgets in a few weeks and questioned voting on this tonight. He also commented that Mr. Pilon hasn't had a chance to see how this will affect the other work the City plans to undertake. He stated that Council must set priorities.

Councilman Smith commented that taxes keep going up and services are being taken away. This program is a way of giving something back to the homeowners. It will allow them to pay it back over a 10-year period. He also commented that bonding over ten years has less effect on the tax rate and there is no advantage to waiting.

Mayor Butler responded that the Council made a unanimous commitment to the sidewalk program and they agreed that the homeowner would bear 100% of the cost. He also commented that Council agreed to the cost of hiring additional people. He stated that this has been put on hold for a long time. Mayor Butler said that he feels the current policy is totally unacceptable and is complaint driven. It is the responsibility of the homeowner to maintain the sidewalks and this program is as friendly as the City can get. He stated that he doesn't want to put the other projects at risk and therefore, the extra people will be necessary. He suggested that one option would be to also put the manpower cost into the cost for the homeowner.

Councilwoman Burns commented that she supported moving forward with the sidewalk replacement program since the current system is one whereby the homeowner has to replace the sidewalk within 60 days and bear the total costs at one time. This program affords a fairer system. However, the City has an acting City Engineer who hasn't analyzed this program and perhaps Council needs to step back to see if there is a need for such an aggressive program at this time.

Mayor Butler asked City Comptroller Mills if the revenue from the program should offset the cost of the bond.

Mr. Mills stated that it should.

Mayor Butler and Councilman Simmons posed questions to Mr. Pilon concerning the project.

Councilman Simmons asked if he had spoken with the staff about this, as he would think that the Engineering staff would already be up to speed with where the project is.

Mrs. Corriveau remarked that while this is probably true, it is not the same as scheduling work. She explained that Council doesn't have a bond ordinance before them tonight but it will be available at the next meeting. Given this additional time, staff can come up with better numbers. At that time, answers to questions regarding staff can be addressed. Between now and then, the City will have to send out notices to all the property owners.

Mr. Pilon expressed his concerns about the program and mentioned that he hopes that they have help that knows what to do. He also expressed concerns with corner properties and access ramps.

Councilman Simmons commented that this project has been discussed for two and half years. This is an opportunity to upgrade property in the fairest way.

MOTION WAS MADE BY COUNCILMAN CLOUGH TO TABLE THE FOREGOING RESOLUTION UNTIL BUDGET HEARINGS HAVE BEEN CONDUCTED.

MOTION WAS SECONDED BY COUNCILWOMAN BURNS AND DEFEATED WITH ALL VOTING NAY EXCEPT COUNCILWOMAN BURNS AND COUNCILMAN CLOUGH VOTING YEA

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING RESOLUTION AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN CLOUGH VOTING NAY

MOTION WAS MADE BY COUNCILWOMAN BURNS TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING RESOLUTION FOR MONDAY, APRIL 21, 2003 AT 7:30 P.M. IN THE CITY COUNCIL CHAMBERS.

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

INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS

WHEREAS J.E.T. Warehouse Rentals, Inc. plans to construct a warehouse and distribution center to be leased to Frito Lay, Inc., in Jefferson County, and

WHEREAS City Center Industrial Park was developed to attract industrial development, including manufacturing and warehousing to the City of Watertown, and

WHEREAS J.E.T. Warehouse Rentals, Inc. has made an offer to purchase a one and a half acre parcel of the Industrial Park located on Waterman Drive, and being a portion of Tax Assessment Parcel No. 9-43-101, for \$22,500, and

WHEREAS a copy of the proposed Purchase and Sale Contract is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby authorizes the sale of the property described in the proposed Purchase and Sale Contract for \$22,500, and

BE IT FURTHER RESOLVED that the City Council hereby authorizes and directs the City Manager, Mary M. Corriveau, to execute the Purchase and Sale Contract

and all other documents necessary for the transfer of the said land to J.E.T. Warehouse Rentals, Inc.

SECONDED BY COUNCILMAN JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCILMAN PAUL A. SIMMONS

WHEREAS the City Council of the City of Watertown, New York has determined that it would be in the best interests of the City of Watertown that the City of Watertown, pursuant to the provisions of the State of New York Municipal Bond Bank Agency Act, sell, assign and transfer all of the City of Watertown's right, title and interest in, to and under certain liens on real property located at 218 Stone Street, Tax Parcel #10-02-101 in respect of delinquent taxes to a Delaware statutory trust or other special purpose entity ("Issuer") organized by the State of New York Municipal Bond Bank Agency (the "Agency"), which Issuer will finance the purchase thereof by issuing debt securities secured by, among other things, such tax liens, in a private placement in debt securities and, in connection therewith, for the City of Watertown to acquire an interest in a Delaware limited liability company or other special purpose entity organized by the Agency, such interest representing a residual interest in the tax liens sold to the Issuer,

NOW THEREFORE BE IT RESOLVED that (i) the sale, transfer, assignment and conveyance by the City of Watertown of all of its right, title and interest in, to and under the liens on real property located at 218 Stone Street, Tax Parcel #10-02-101 in respect of delinquent taxes and any certificates evidencing any such liens, and any and all proceeds thereof, including, without limitation, any claims in respect of any such liens as to which the related property owners are involved in bankruptcy proceedings (collectively, the "Tax Liens") pursuant to the Purchase and Sale Agreement in substantially the form annexed hereto as Exhibit A (the "Purchase and Sale Agreement") to the Issuer named in the Purchase and Sale Agreement, (ii) the acquisition by the City of Watertown of an interest in the limited liability company established pursuant to the

Amended and Restated Limited Liability Company Agreement in substantially the form annexed hereto as Exhibit B (the "Limited Liability Company Agreement"), and (iii) the consummation by the City of Watertown of each of the other transactions contemplated by the Purchase and Sale Agreement and the Limited Liability Company Agreement, are hereby approved, and

BE IT FURTHER RESOLVED that the City of Watertown is authorized to enter into and perform its obligation under the Purchase and Sale Agreement, the Limited Liability Company Agreement and a representation and indemnity agreement with the initial purchasers of the securities to be issued by the Issuer in connection with the transactions contemplated by the Purchase and Sale Agreement and the Limited Liability

Company Agreement (the “Representation and Indemnity Agreement”) (collectively, the “Agreements”); and

BE IT FURTHER RESOLVED that the proposed forms of the Purchase and Sale Agreement and the Limited Liability Company Agreement are hereby authorized and approved, and that the City Manager (the “Authorized Officer”) be, and hereby is, authorized, empowered and directed to execute and deliver such Agreements in the name and on behalf of the City of Watertown, with such changes thereto as any of the Authorized Officer may deem necessary or advisable, and to execute and deliver the Representation and Indemnity Agreement in the name and on behalf of the City of Watertown in such form as the Authorized Officer may deem necessary or advisable, such determination to be evidenced conclusively by their execution and delivery thereof, and

BE IT FURTHER RESOLVED that the execution of the Agreements by the Authorized Officer, pursuant to these resolutions shall constitute conclusive evidence of the approval of, and of that Authorized Officer’s authority to execute, such Agreement, and

BE IT FURTHER RESOLVED that the Authorized Officer be, and hereby is, authorized to take any other action and execute and deliver any other agreements, documents and instruments, as the Authorized Officer may deem necessary or advisable to carry out the purpose and intent of the foregoing resolutions, including, without limitation, to provide information concerning the City of Watertown and the Tax Liens for inclusion in a private placement memorandum (the “PPM”) relating to the issuance of securities (the “Bonds”) collateralized, in part, by the Tax Liens and to authorize the use of the PPM in the marketing and sale of the Bonds in the private placement thereof, and to mail or otherwise forward any notices or other communications deemed necessary or desirable by an Authorized Officer to the owners of the real properties subject to the Tax Liens or to any other persons in connection with the sale thereof, and

BE IT FURTHER RESOLVED that any actions of the Authorized Officer in furtherance of the purposes of the foregoing resolutions, whether taken before or after the adoption of effectiveness of these resolutions are hereby approved, confirmed, ratified and adopted, and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

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

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the Empire State Development Corporation has announced that the City of Watertown has been awarded a \$25,000 grant from the Main Street New York Program for downtown signage, and

WHEREAS this funding will be used in conjunction with the Downtown Streetscape Project, and

WHEREAS the City must enter into a Grant Disbursement Agreement with Empire State Development Corporation for this project, a copy of which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED that the City Manager, Mary M. Corriveau, is hereby directed to execute the Project Agreement on behalf of the City Council of the City of Watertown, and

BE IT FURTHER RESOLVED that the City Manager is authorized to act on behalf of the City Council in all matters related to the financial assistance for this project.

SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS Christian Brunelle, Real Estate Manager for Byrne Dairy, has made application for site plan approval for the construction of a 3,960 sq. ft. Byrne Dairy store and fueling facility located at 1003 Coffeen Street, Parcels No. 8-15-113.2 and 8-15-113, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on Tuesday, March 4, 2003, and recommended that the City Council of the City of Watertown approve the site plan as shown on plans submitted to the Planning Board on March 4, 2003, and to the City Engineering Department on March 12, 2003, 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 site plan constitutes 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 Christian Brunelle, Real Estate Manager for Byrne Dairy, Inc. for the construction of a 3,960 sq. ft. Byrne Dairy store

and fueling facility located at 1003 Coffeen Street, Parcels No. 8-15-113.2 and 8-15-113, as shown on plans submitted to the City Planning Board on March 4, 2003 and to the City Engineering Department on March 12, 2003.

SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the Governor's Office for Small Cities has invited the City of Watertown to submit an application for economic assistance benefiting Ceramor Defense Corporation LLC, and

WHEREAS this proposal has been considered at a public hearing conducted by the City Council on March 17, 2003, and there were public hearings on the City's Community Development Block Grant Program on February 3rd and February 18th, 2003,

NOW THEREFORE BE IT RESOLVED that the Mayor, Joseph M. Butler, is authorized to sign and submit an application for a Community Development Block Grant to benefit Ceramor Defense Corporation LLC, and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign all agreements, certifications and other documents required to complete the application and to accept the grant and administer the program that is proposed for CDBG funding.

SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

City Comptroller's Monthly Report of Expenditures, Revenues and Investment Balances

Mr. Mills explained the new format to Council

Councilman Smith asked if there is a way for the expenditure side to show the cost of personnel separated out from the total for the departments.

Mr. Mills stated that this could be done and he was looking for input from the Council.

Mayor Butler commended Mr. Mills for the new format and asked that the health insurance fund balance be added to the report.

Public Square Fountain

Mayor Butler advised that the Cape Vincent Correctional Facility would not be able to repair the fountain and the City, therefore needs to have it repaired by Robinson Iron Works in Alabama. The money, which amounts to \$68,000, will come from the streetscape funds.

MOTION WAS MADE BY COUNCILMAN CLOUGH TO HAVE THE PUBLIC SQUARE FOUNTAIN REPAIRED BY ROBINSON IRON, ALABAMA.

MOTION WAS SECONDED BY COUNCILWOMAN BURNS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

(Rules waived by motion of councilman Simmons, seconded by Councilman Smith and carried with all voting in favor thereof)

Mayor Butler advised that Mr. Brett had been informed that the fountain would be repaired.

Mrs. Corriveau explained that the funds Mr. Brett raised for the fountain restoration have been held in trust and will be used along with the streetscape funds for the project.

Green Street Meeting

Councilman Smith asked if the Green Street meeting had ever been held.

Councilman Simmons stated that he believed it had been held in December with the school board. He asked that Mrs. Corriveau check with Mr. Hayes.

Mrs. Corriveau will prepare an update on Green Street for the Council.

Public Nuisance Lawsuit

Mayor Butler asked Attorney Slye to share the results of the latest correspondence.

Attorney Slye explained that he had been in contact with the City's environmental attorney from Bond, Schoneck & King and received his response on Friday evening. The response indicated that the Federal Clean Air Act does not apply to this salt pile, as it is not a regulated processing plant. In addition, the response indicated that the state views the storage of rock salt as a "trivial activity". In conclusion, it finds that there is no direct violation of federal or state regulations to make this a public nuisance.

Mayor Butler responded that he wants to go on record that the City should pursue a public nuisance lawsuit. He stated that American Rock Salt has not been a good neighbor and there has been too much salt in the air. The neighbors can't sell their homes, and the assessed values have gone down.

Councilman Smith asked what the cost of a public lawsuit would be.

Attorney Slye explained that expert testimony could be around \$50,000 and legal fees could be between \$30,000 and \$35,000.

Councilman Smith asked what the chances of winning would be.

Attorney Slye explained that his opinion has to be based on his discussions with the experts. The information the City has now is insufficient. The question is does this condition affect a number of people and if we can prove it.

Councilman Smith asked if this would meet the definition of a public nuisance.

Attorney Slye advised Council that it would be a violation of the rules of ethics for him to file a frivolous lawsuit. He will not know that until he has hired experts. At that point, he would have air opinions, medical opinions, corrosive opinions as well as legal opinions.

Councilman Clough asked Mr. Pilon if he was aware of DEC asking for another SEQRA form.

Mr. Pilon explained that this is due to the fact that American Rock Salt is trying to increase the amount of discharge on the SPEDIES permit.

Attorney Slye explained that this would require a 12' drain and before it could be done, Council would have to consider the SEQRA form

Councilman Simmons commented that this Council has always listened to the residents and questioned what the cost was to have a neighborhood deteriorate at this fast pace.

Councilman Smith asked if Attorney Slye advises for Council to move forward.

Attorney Slye commented that if Council is interested in pursuing the lawsuit, then we need to get the information. He also advised Council that it would be his job to report to the City, not to the neighbors. He stated that there would be times when he will insist on discussion in executive session.

MOTION WAS MADE BY COUNCILMAN CLOUGH TO AUTHORIZE ATTORNEY SLYE TO PROCEED WITH THE INVESTIGATION TO COMMENCE A PUBLIC NUISANCE LAWSUIT.

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

Certificate of Need/Dialysis Unit

Councilman Smith asked that a resolution be prepared for a certificate of need in support of the doctors petitioning the state for a dialysis unit.

GASB Report

City Comptroller Mills explained the Governmental Accounting Standards Board Statement to the Council.

EXECUTIVE SESSION

MOTION WAS MADE BY COUNCILMAN CLOUGH TO MOVE INTO EXECUTIVE SESSION TO DISCUSS NEGOTIATIONS WITH THE WATERTOWN POLICE BENEVOLENT ASSOCIATION.

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

Council moved into Executive Session at 8:45 p.m.

Council reconvened at 9:10 p.m.

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 9:10 P.M. BY MOTION OF COUNCILMAN SIMMONS, SECONDED BY COUNCILMAN SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton

City Clerk