

**REGULAR COUNCIL MEETING  
CITY OF WATERTOWN  
April 7, 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 - Adopting the City Anti-Harassment/Non-Discrimination Policy
- 2 - Authorizing Application for Selective Traffic Enforcement Program (STEP)
- 3 - Approving Supplemental Agreement No. 1, State Street Reconstruction, PIN 775273, Engineering Design, Clough Harbour and Associates, LLP
- 4 - Approving Sale of Real Property Known as 763 Mill Street, Parcel No. 2-09-114 to Neighbors of Watertown, Inc.
- 5 - Approving Sale of Real Property Known as 717 Davidson Street, Parcel No. 2-07-105 to Neighbors of Watertown, Inc.
- 6 - Approving the Site Plan for the Construction of a 6,552 Sq. Ft. Storage Warehouse in the 900 Block of Waterman Drive on a Subdivided Portion of Parcel No. 9-43-101
- 7 - Approving the Request Submitted by Karen Delmonico of the Greater Watertown North Country Chamber of Commerce to Amend Planned Development District No. 2 to Allow Office Use at 1241 Coffeen Street, Parcel No. 8-40-105
- 8 - An Ordinance Authorizing the Issuance of an Additional \$2,978,000 Serial Bonds of the of the City of Watertown, Jefferson County, New York, to Pay Part of the Cost of the Reconstruction of Bellew Avenue Between Arsenal Street and Coffeen Street, In and For Said City
- 9 - Local Law No. 1 of 2003 – A Local Law Amending Local Law No. 1 of 1994, As Amended by Local Law No. 6 of 1995 and Local Law No. 1 of 2001, Revising the Designated Boundaries of the Watertown Empire Zone

**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 17, 2003 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**

From the City's Planning Board

1. Recommending that the City Council approve the amendment to Planned Development District No. 2 as requested by the Greater Watertown – North Country Chamber of Commerce to amend the allowed use of 1241 Coffeen Street, Parcel No. 8-40-105.
2. Recommending that the City Council approve the site plan submitted on behalf of J.E.T. Warehouse Rentals, Inc. for the construction of a 6,552 sq. ft. storage warehouse located in 900 block of Waterman Drive in the City Center Industrial Park, on a subdivided portion of Parcel No. 9-43-101 contingent upon certain requirements being met as outlined in the resolution.

**ABOVE PLACED ON FILE**

Minutes were received from the library's board meeting.

**ABOVE PLACED ON FILE**

From Laurel A. Blackmore, 629 Frontenac Street, concerning a large number of stray cats in her neighborhood.

**ABOVE PLACED ON FILE**

From Peggy Dicob, Concordia Lutheran Church, advising Council that the Greater Watertown Association of Churches plan to "Carry the Cross of Christ" through the City on Good Friday. They will follow the lights and crosswalks and shouldn't need any special police service. There will be about 75 people involved and it will begin at 8:55 a.m. and end at 10:30 a.m.

**ABOVE PLACED ON FILE**

From the City Assessor advising that Charles T. Snyder, III has offered to negotiate the sale and purchase of 140 Erie Street, Parcel 1-21-115.000, a City owned lot.

**ABOVE PLACED ON FILE**

The following claims against the City were received:

1. From Kathryn A. Williams for personal injuries she sustained at the Fairgrounds Ice Arena.

2. From Carl and Janet Rivers on behalf of Cynthia Rivers for personal injuries she sustained while sliding at Thompson Park.

**ABOVE REFERRED TO THE BOARD OF AUDIT**

**PRIVILEGE OF FLOOR EXTENDED**

No one spoke

**PROCLAMATIONS**

Mayor Butler proclaimed April as **National Autism Awareness Month** in the City of Watertown.

Mayor Butler proclaimed April as **Child Abuse Prevention Awareness Month** in the City of Watertown.

Mayor Butler proclaimed the week of April 7<sup>th</sup> as the **Week of the Young Child** in the City of Watertown.

**PUBLIC HEARING**

**AT 7:30 P.M. MAYOR BUTLER ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING FOR LOCAL LAW NO. 1 OF 2003 REVISING THE DESIGNATED BOUNDARIES OF THE WATERTOWN EMPIRE ZONE.**

**MAYOR BUTLER DECLARED THE HEARING OPEN**

The following individuals addressed the chair in support of Local Law No.1 of 2003:

1. Jan Martusewicz, President of the Jefferson Co. Agricultural Development Corporation
2. Doug Shelmidine, Jefferson Co. Ag & Farmland Preservation Board, Jeff. Co. Farm Bureau
3. Nicholas Serto, Teacher, Farmer and Counselor
4. Fairman "Sampie" Sutton, Town of Alexandria Supervisor
5. Milton Cutway, Division Manager for Crowley Foods
6. Robert Cantwell, Town of Clayton Supervisor
7. John Jennings, Great Lakes Cheese
8. Ray Mathous, Owner of Riveredge Resort
9. Gene Rude, Brownville Specialty Paper Products
10. Robert Sturtz, Owner of Slack Chemicals
11. Karen Delmonico, Executive Director of Greater Watertown Chamber of Commerce
12. Dr. Neil Inhaber, Pulmonary Associates

13. Robert Wardwell, Climax Paperboard
14. Mark LaLonde, Hutchinson Boatworks
15. Mark Smith, EDZ Board member
16. John McNeilly, Hi-Lite Markings
17. Mark Arpen, Attorney for Home Depot
18. Kevin McAuliffe, Attorney for Edgewood Resort
19. T. Urling Walker, Downtown Investor
20. Joel Bartlett, Town of Watertown Supervisor
21. Paul Simmons, Chair of the EDZ Board

All of the above speakers urged Council to approve Local Law No. 1 of 2003 in an effort to improve the economic conditions of the City and County. They stressed the importance of passing the boundaries to ensure economic development throughout the County and explained that people working in river communities and agricultural communities do spend their money in the City of Watertown.

Councilman Simmons, speaking from the floor as the Chair of the EDZ Board applauded the board members for their hard work and remarked that they listened to the people. He explained that another boundary amendment could be done after passing this local law tonight.

**MAYOR BUTLER DECLARED THE HEARING CLOSED AT 8:30 P.M.**

## **RESOLUTIONS**

### **INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS every employee of the City is entitled to conduct his or her duties for the City in an environment free of discrimination or harassment, and

WHEREAS the City is obligated to provide a workplace free of harassment and discrimination, and

WHEREAS the City Council of the City of Watertown deems it to be in the best interests of the citizens of the City to adopt an Anti-Harassment and Non-Discrimination Policy for the benefit of the City and its employees, and

WHEREAS the City Council of the City of Watertown further deems it to be in the best interests of the citizens of the City to direct the City Manager to adopt a complaint procedure for claims of discrimination, sexual harassment or other forms of harassment,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that the attached Anti-Harassment and Non-Discrimination Policy shall be adopted, effective April 8, 2003, and

BE IT FURTHER RESOLVED that the City Manager shall proceed to adopt a complaint procedure for claims of discrimination, sexual harassment, or other forms of harassment.

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

**INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS**

WHEREAS the Governor's Traffic Safety Committee encourages municipalities to apply for funding under the Selective Traffic Enforcement Program (STEP) which targets specific traffic violations associated with unsafe driving behaviors, and

WHEREAS the City of Watertown Police Department has reviewed the program and feels that participation in the program will benefit the Department and the citizens of the City of Watertown, and

WHEREAS this funding will allow the Department to continue to have an enforcement-focused project that targets speeding and/or aggressive driving, including red light running,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown authorizes the Police Department to submit a grant application for support of special details dedicated to ticketing drivers exhibiting aggressive driving habits throughout the City, and

BE IT FURTHER RESOLVED that the City Council authorizes an application in the amount of \$9,750, and

BE IT FURTHER RESOLVED that Police Chief Robert A. Piche is hereby authorized and directed to execute the grant application on behalf of the City of Watertown.

**SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SMITH VOTING NAY**

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS on April 1, 2002 the City Council of the City of Watertown adopted a resolution approving an Agreement with Clough Harbour and Associates for the design of the State Street Reconstruction in the amount of \$998,000, and

WHEREAS the initial project scope called for the State of New York to provide and be reimbursed for services related to ROW incidentals and acquisition but, due to staffing reductions, the State is no longer able to provide said services,

WHEREAS Clough Harbour and the City of Watertown have negotiated an Agreement with R. K. Hite to provide ROW incidentals and acquisition services in support of this project, in the amount not to exceed \$135,000, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Supplemental Agreement No. 1 to the contract with Clough Harbour and Associates, LLP, in an amount not to exceed \$135,000, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that approval of this contract is subject to the City receiving funding under the Master Federal Aid Local Agreement to cover the Federal and State shares of the project, and

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

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

Commenting on the foregoing resolution, Councilman Simmons asked what the \$1300 flat fee was for.

Mr. Pilon will supply the information to Council.

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS the City owns a certain lot of land known as 763 Mill Street and designated as Parcel No. 2-09-114, 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 \$4,059.35, 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 the property known as 763 Mill Street, Parcel No. 2-09-114 to Neighbors of Watertown, Inc. at the sale price stated above, and

BE IT FURTHER RESOLVED that the Mayor, Joseph M. Butler, is hereby authorized and directed to execute the sale documents on behalf of the City.

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

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS the City owns a certain lot of land known as 717 Davidson Street and designated as Parcel No. 2-07-105, 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 \$7,728.21, 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 the property known as 717 Davidson Street, Parcel No. 2-07-105 to Neighbors of Watertown, Inc. at the sale price stated above, and

BE IT FURTHER RESOLVED that the Mayor, Joseph M. Butler, is hereby authorized and directed to execute the sale documents on behalf of the City.

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

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS Michael Aubertine of Aubertine & Currier Architects has made application for site plan approval on behalf of J.E.T. Warehouse Rentals, Inc., for the construction of a 6,552 sq. ft. storage warehouse in the 900 block of Waterman Drive on a subdivided portion of Parcel No. 9-43-101, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on April 1, 2003 and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

1. That a complete set of revised drawings be submitted showing all required changes.
2. That the parking area be set back 20 feet from the east property line to accommodate the construction of the swale and eliminate the encroachment of the grading on to the Alteri Bakery property.
3. That the existing driveway entrance is utilized, or if a new opening is made, the existing entrance is to be closed using city standards.
4. That street trees spaced 30' - 40' on center are added within the City owned street right-of-way.
5. That shrubs are planted in the 10' setback area located between the property line and front parking lot area.
6. That the sanitary sewer lateral be relocated so that it connects with the existing sanitary sewer located at the rear of the property.

And,

WHEREAS the applicant submitted a revised site to the City Engineering Department on April 7, 2003 that complies with all of the conditions recommended by the Planning Board, 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 by the City Council of the City of Watertown, New York 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 was hereby granted to Michael Aubertine of Aubertine & Currier Architects, on behalf of J.E.T. Warehouse Rentals, Inc., for the construction of a 6,552 sq. ft. storage warehouse in the 900 block of Waterman Drive on a subdivided portion of Parcel No. 9-43-101 as shown on the revised site plan submitted to the City Engineering on April 7, 2003.

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

**ORDINANCES**

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

BE IT ORDAINED where Karen K. Delmonico of the Greater Watertown North Country Chamber of Commerce has made application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law, to amend Planned Development District No. 2 to allow office use in addition to retail use and a pre-school at 1241 Coffeen Street, Parcel No. 8-40-105 and

WHEREAS the Jefferson County Planning Board reviewed the proposed amendment on March 25, 2003, pursuant to General Municipal Law Section 239-m, and adopted a motion that the project does not have any significant County-wide or inter-municipal issues and is of local concern only, and

WHEREAS the Planning Board of the City of Watertown recommended that the City Council approve the requested amendment at its meeting held on April 1, 2003, and

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

WHEREAS a public hearing was held on the proposed amendment on April 21, 2003 after due public notice, and

WHEREAS the City Council has made a declaration of negative findings on the environmental impact of the proposed amendment according to the requirements of SEQRA,

NOW THEREFORE BE IT ORDAINED that Planned Development District No. 2 is amended to allow office use, in addition to retail use and a pre-school at 1241 Coffeen Street, Parcel No. 8-40-105, and

BE IT FURTHER ORDAINED that this amendment 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 JEFFREY M. SMITH**

**MOTION WAS MADE BY COUNCILWOMAN BURNS TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING ORDINANCE FOR 7:15 P.M. ON MONDAY, APRIL 21, 2003.**

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

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed, and

WHEREAS by bond ordinance dated October 15, 2001, the Council of the City of Watertown, Jefferson County, New York, authorized the issuance of \$422,000 serial bonds of said City to pay the cost of architectural and engineering services for the reconstruction of Bellew Avenue between Arsenal Street and Coffeen Street including incidental expenses in connection therewith, in and for said City, and

WHEREAS it is now desired to authorize the issuance of an additional \$2,978,000 serial bonds of said City to amend said bond ordinance to include the reconstruction costs in said specific object or purpose and to finance additional costs thereof,

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

Section 1. For the specific object or purpose of paying part of the cost of the reconstruction of Bellew Avenue between Arsenal Street and Coffeen Street, in and for the City of Watertown, Jefferson County, New York, including incidental sidewalk, drainage, water main and sanitary sewer improvements, incidental expenses in connection therewith, and related architectural or engineering services, there are hereby authorized to be issued \$2,978,000 serial bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$3,400,000 and that the plan for the financing thereof is

(a) by the issuance of the \$422,000 serial bonds of said City authorized to be issued pursuant to bond ordinance dated October 15, 2001; and

(b) by the issuance of the additional \$2,978,000 serial bonds of said City authorized to be issued pursuant to this bond ordinance.

The amount of bonds to be issued hereunder shall be reduced by the amount of any Federal or New York State aid received for and applied to the aforesaid specific object or purpose.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen (15) years, pursuant to subdivision 91 of paragraph a of Section 11.00 of the Local Finance Law, as each component object or purpose has a period of probable usefulness of at least fifteen years under subdivisions 1, 3, 4, 20 or 21 thereof. It is hereby further determined that the specific object or purpose described in the bond ordinance dated October 15, 2001 referred to in the preambles to this resolution is hereby amended to conform to the specific object or purpose described in Section 1 hereof, and that the period of probable usefulness thereof shall be fifteen (15) years under subdivision 91 as described in Section 3 hereof.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Watertown, Jefferson County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Watertown, Jefferson County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City, provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining

annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This ordinance, which takes effect immediately, shall be published in full in Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

(Unanimous consent moved by motion of Councilman Smith, seconded by Councilman Clough and carried with all voting in favor thereof)

## LOCAL LAW

### LOCAL LAW NO. 1 OF 2003 REVISING THE DESIGNATED BOUNDARIES OF THE WATERTOWN EMPIRE ZONE WAS PRESENTED TO COUNCIL

(Introduced on March 3, 2003, public hearing held this evening; appears in its entirety on pages 51-65)

Councilwoman Burns thanked everyone for their comments.

**MOTION WAS MADE BY COUNCILMAN SMITH TO AMEND THE FOREGOING LOCAL LAW BY EXCLUDING G&S SERVICES IN THE TOWN OF LYME, VAN TASSEL MOVING AND STORAGE AND U-LOCK IT IN THE TOWN OF PAMELIA, THE BLACK RIVER DRIVE-IN ON ROUTE 3, TWO NICE & EASY CONVENIENCE STORES IN PAMELIA, ONE ON OUTER BRADLEY STREET AND ONE ON OUTER LERAY STREET, DAVIDSON'S CAR WASH AND HEIRLOOMS BOTH IN THE TOWN OF WATERTOWN AND THE EXISTING SALMON RUN MALL AS WELL AS PROPERTY LOCATED ON COFFEEN STREET BETWEEN BELLEW AVENUE AND THE CITY'S WESTERN LIMITS EXCEPT THE TWO ULTIMATE GOAL PROPERTIES WHICH WOULD BE STILL INCLUDED IN THE ZONE.**

### **MOTION WAS SECONDED BY COUNCILWOMAN BURNS**

Mayor Butler commented that as elected officials, it is Council's duty to promote jobs and economic development. He expressed his concern of what would happen if this law didn't pass. He stated that the City couldn't turn down the County's request and then go to them for help. He stated that any deletions could be made at a later time. He also commented that voting for this law this evening, doesn't guarantee that all of these businesses will be in the zone. They have to meet certain criteria to stay in the zone.

Councilwoman Burns commented that Mr. DiMaggio's letter did not state that amendments to this law would mean that any amendments after this would fall under the new rules. She commented that she does support businesses along the river and she does realize that they do have an economic effect on the City of Watertown. However, that is not the case with all of the businesses being included in the zone.

Councilman Smith commented that he had also received a letter from Mr. DiMaggio whereby it was stated that it "may" fall under the new provisions, not that it "would". He also commented that Council members told Councilman Simmons, as their representative on the EDZ board, that they didn't want certain parcels included.

Councilman Clough commented that he was glad to see that more than one parcel on the river had been added to the zone. He also commented that there has never been a debate to exclude any agri-businesses. He explained that of the 103.45 acres in the zone, the proposal would be to exclude only 3.23 acres outside the City plus the existing footprint of the mall and 25.4 acres inside the City limits.

Mayor Butler commented that he did not receive any letters opposing the boundaries.

Councilman Clough asked about the exclusion of the mall and if that only pertained to what was there at the present time.

Councilman Smith responded that it was only the existing property and all expansion would be included in the zone.

Councilman Clough commented that Council had said before that they didn't want Coffeen Street included. He also commented that Mayor Butler has attended the meetings and has expressed Council's concerns.

Councilman Smith commented that the concerns fell on deaf ears.

Councilman Simmons responded that this was not the case. He commented that there was an unwillingness on the part of Council members to attend the meetings. He explained that the board was advised that Council didn't want Coffeen included. However, Council should not tell the board what to do or how to do it. Councilman Simmons asked how Councilman Smith determined what businesses to take out of the zone.

Councilman Smith remarked that the EDZ board has no economic development plan for the City or the County.

Mayor Butler responded that the EDZ board does have a plan which has been approved by the State.

Councilman Simmons reiterated his request concerning why some businesses, such as G&S Services were removed from the zone.

Councilwoman Burns responded that she didn't want to get into a debate. She stated that she looks at the Empire Zone as an economic tool and it defeats the purpose if we don't try to target areas in the City of Watertown that need an economic boost. She commented that criteria for outside businesses should be based on the potential effect it has on the economic development for the County and for the City. She stated that she feels that G&S Services is not economic development.

Mayor Butler commented that he has been told that the entire County is depressed and that the old rules regarding the blighted and depressed areas used to determine past Empire Zones are gone.

Councilwoman Burns responded that State Street, in the Northland Plaza area, and Mill Street both need economic development.

Councilman Simmons remarked that first Council didn't want Arsenal Street businesses included. Then they decided they wanted Deal Maker put in. Now, they don't want

Coffeen Street, but when Home Depot comes that will be included because they say it isn't really on Coffeen Street.

Councilman Clough commented that he felt a compromise could be made. He explained that Deal Maker was included because it is the only car dealership inside the City.

Councilman Smith remarked that the Council has been willing to compromise from the beginning and now Council has been backed into a corner.

Councilman Simmons stated that Council has been invited to committee meetings and board meetings as well as informational sessions and only Mayor Butler has attended.

Councilman Smith commented that Councilman Simmons was the City's representative and therefore, the Council members didn't need to attend those meetings.

**Deborah McAtee**, Zone Coordinator, commented that she had spoken with Mr. DiMaggio and a "no" vote this evening would mean that there would have to be a new local law written. She also commented that the revisions, which have already been approved by the state Empire Zone board, will at minimum be delayed and may revert to new Empire Zone legislation requiring 75 percent of the zone land to be contiguous.

**Kevin R. McAuliffe**, Syracuse Attorney commented that since there are no regulations or opinions of counsel on the Empire Zone law, he feels that a "no" vote would put everything in jeopardy. He stated that Mr. DiMaggio has been very liberal in helping the zones. However, when and if he leaves, the next person may not interpret the law in the same manner. He stated that any delay might be bad.

**AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING MOTION AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SIMMONS AND MAYOR BUTLER VOTING NAY**

**MOTION WAS MADE BY COUNCILWOMAN BURNS TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING LOCAL LAW AS AMENDED FOR MONDAY, APRIL 21,2003 AT 8:00 P.M.**

**MOTION WAS SECONDED BY COUNCILMAN SMITH AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SIMMONS VOTING NAY**

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### **Presentation of 2003-04 Proposed Budget**

City Manager Corriveau presented the 2003-04 proposed budget to the Council. It calls for a 5.89 percent increase. She explained that the most significant factors affecting the proposed budget are the overall decrease in total taxable assessed value and the increased costs associated with salaries, retirement, health insurance benefits, fuel, and vehicle and

property insurance. Mrs. Corriveau advised that the budget contains a number of personnel changes. Also, the City has requested and received a one-year postponement of the bus service expansion. She also advised that the budget does not contain an increase in either the water or the sewer rates. In addition, Watertown continues to depend on the \$1,250,000 it receives as part of the New York State Targeted Municipal Assistance Program. The Water, Sewer and Library funds will be paying 100% of the cost of their power usage this year. Mrs. Corriveau explained that this year's budget was prepared with an eye toward containment, while at the same time addressing the issues of the City's eroding tax base, increases in health insurance, retirement and wages. Current service levels have been maintained. Mrs. Corriveau thanked everyone that was involved in the preparation of the spending plan

**ADJOURNMENT**

**AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 9:20 P.M. BY MOTION OF COUNCILWOMAN BURNS, SECONDED BY COUNCILMAN SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

*Donna M. Dutton*

City Clerk