

**CITY COUNCIL MEETING
CITY OF WATERTOWN
May 6, 2013
7:00 p.m.**

Mayor Jeffrey E. Graham Presiding

Present: Council Member Roxanne M. Burns
Council Member Joseph M. Butler, Jr.
Council Member Teresa R. Macaluso
Council Member Jeffrey M. Smith
Mayor Graham

Also Present: Sharon Addison, City Manager
Robert J. Slye, City Attorney

City staff present: Elliott Nelson, Jim Mills, Ken Mix, Kurt Hauk, Amy Pastuf, Beth Morris, Erin Gardner, Mike Sligar, Brian Phelps, Barb Wheeler, Gene Hayes, Chief Herman, Deputy Chief Randall

The City Manager presented the following reports to Council:

- Resolution No. 1 - Approving NYSDOT Sidewalk Signal Improvement Project, PIN 7805.44
- Resolution No. 2 - Approving Agreement For Professional Land Surveying Services, Storino Geomatics
- Resolution No. 3 - Approving Amendment No. 3 to Professional Services Agreement, GHD Consulting Engineers LLC
- Resolution No. 4 - Approving Change Order No. 1 to Agreement for Fluoride Tank Replacement System, Continental Construction
- Resolution No. 5 - Approving Amendment No. 1 to Agreement for Professional Services for Fluoride Tank Replacement, Bernier, Carr & Associates
- Resolution No. 6 - Amendment No. 88 to the Management And Management Confidential Pay Plan
- Resolution No. 7 - Accepting Bid for Fire Department Pagers, Leavitt Communications
- Resolution No. 8 - Adopting Revised Guidelines and Administrative Procedures for the Rental Rehabilitation Program
- Resolution No. 9 - Approving Contract for Use of Buildings and Grounds, Watertown City School District
- Resolution No. 10 - Approving Agreement for Flat Fee Use of City-Owned Athletic Fields, Sunday Softball League
- Resolution No. 11 - Approving Agreement for Flat Fee Use of City-Owned Athletic Fields, North Country Lacrosse League
- Resolution No. 12 - Approving Agreement for Flat Fee Use of City-Owned Athletic Fields, Sunday Touch Football League
- Resolution No. 13 - Waive Hook-up and Disconnect Fees for 2013 Concert Series for Disabled Persons Action Organization
- Resolution No. 14 - Authorizing the Sale of the Portions Hycliff Drive North and of Kendall Avenue North that Lie Northeasterly of Clover Street
- Ordinance No. 1 - An Ordinance Amending the Ordinance Dated February 21, 2012, as Amended January 22, 2013, Authorizing the Issuance of \$460,000 Bonds of the City of

Watertown, Jefferson County, New York, to Pay Part of the \$750,000 Estimated Maximum Cost of the Design of a Disinfection System at the City's Wastewater Treatment Plant, to Increase the Estimated Maximum Cost Thereof to \$800,000

- Laid Over Under the Rules – Ordinance Amending City Municipal Code § A320-9
- Tabled - Ordinance Amending the Code of the City of Watertown, §310-1 Definition of a Family and §310-34, Accessory Uses in Residence Districts
- Public Hearings for 2013-14 Operating Budgets and 2013-14 through 2017-18 Capital Budget
- Spring Drop Off Flyer

Complete Reports on file in the office of the City Clerk

Meeting opened with a moment of silence. Council Member Burns requested that the moment of silence be in honor of City Manager Addison's father.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of April 15, 2013 was dispensed and accepted as written by motion of Council Member Roxanne M. Burns, seconded by Council Member Jeffrey M. Smith and carried with all voting in favor thereof.

COMMUNICATIONS

An invitation was received for an Open House at Carthage Savings and Loan Association on Thursday May 9th in celebration of their 125th year anniversary.

Above communication was placed on file in the office of the City Clerk.

A Notice of Petition for an assessment review was received from Stateway Plaza Shopping Center.

A Verified Petition for an assessment review was received from Northern New York Newspapers Corporation.

A Notice of Claim was received from the County of Jefferson for property damage to a Jefferson County Vehicle.

Above claims have been referred to the Board of Audit.

PRIVILEGE OF THE FLOOR

Joe Rich, DPAO thanked Council for meeting with him to discuss the concerns that he had and is grateful that the City is trying to keep the DPAO events in Watertown. He reminded Council that the people that the DPAO serves are disabled people from Watertown and the funds made on the shows goes right towards helping these people. He pointed out that these events have brought 35,000 people into the area in the last three years which means added revenue for the local business people. He said that DPAO wants to pay fees but he wants it to be commensurate with the fees charged to other agencies. He knows that the City's costs are more than what the DPAO pays in fees and he is grateful

for that. He thinks this is a benefit to the City and hopes that the DPAO is never referred to as a burden to the City taxpayers.

Michael Plummer, 121 Paddock Street spoke in support of the DPAO stating that he has two special needs children and is a direct benefactor of this organization. He said that the concert series brings in money for local hotels, restaurants, and merchants. He said that it is in the best interest to facilitate the DPAO's capability to continue the concert series in Watertown.

Mel Busler, 127 Gotham Street talked about Mr. Rich's passion for the DPAO and mentioned that Mr. Rich started this organization and wants it to succeed. He reiterated that DPAO is willing to pay its fair share and mentioned that the concert series brings a quality of life to the community.

Joseph J Colarusso, Potsdam stated that he is the former Director of Sunmount Developmental Disability Service Office for NY and that he has worked with Mr. Rich for over 30 years. He commented that Mr. Rich is very persistent on the state level as well. He stated that DPAO provides valuable services and even though it is a small organization, it is large beyond imagination in fundraising to supplement the government sources that they draw from. He asked that the City continue to support the DPAO.

Bob Ward, 142 East Hoard Street spoke stating that his son receives services from DPAO. He explained that every expense that the DPAO has takes away from the services that his son and other disabled people receive. He mentioned that DPAO provides a benefit to the community.

Ronald Delosh, 22627 Apple Drive stated that he thinks the City should donate their time to the DPAO.

S.G. Gates, 157 Dorsey Street addressed the chair regarding the Dog Ordinance and a Dog Park. He reviewed the confusion relating to the ordinance mentioning the recent Heart Walk in which participants were asked to remove their dogs from the area. He cited several examples stating that organizations should be able to decide whether dogs can be present at their event and should be required to post signs stating that dogs are not allowed. In regards to a Dog Park, he mentioned that the SPCA does not want the Dog Park due to the maintenance costs.

Mayor Graham suggested that Mr. Gates contact the Council members and try to lobby them individually.

Trudy Ryan, 116 Casey Street asked for a status update on the request that she submitted at the last meeting.

Mayor Graham stated that Privilege of the Floor is for public comment only and not for question and answers. He explained that the Chief of Police was to be present at the next work session for further discussion on this.

Troy Walts, 380 Brainard Street thanked Council for hosting Dr. Paul Connett at the work session next week to further discuss the fluoridation of water. He reminded Council that he is aware of some anti-fluoride people that would be willing to serve on the committee.

Chuck Palmatier, board member of the DPAO reiterated the impact of revenue that the DPAO brings to Watertown.

RESOLUTIONS

Resolution No. 1 - Approving NYSDOT Sidewalk Signal Improvement Project, PIN 7805.44

Introduced by Council Member Teresa R. Macaluso

WHEREAS the New York State Department of Transportation proposes to reconstruct the Signal Lights at the Intersection of NY Route 12 (State Street) and NY Route 12 (Gifford Street), City of Watertown, PIN 7805.44, and

WHEREAS the State will include as part of the reconstruction or improvements of the above mentioned project the reconstruction of sidewalks, pursuant to Section 349-c, Cities, of the Highway Law, and

WHEREAS the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans relating to the project,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves the construction of sidewalks and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the city of Watertown will maintain or cause to be maintained the relocated, reconstructed and/or constructed sidewalks performed as above stated and as show on the contract plans attached hereto and made part of this resolution, including the control of snow and ice, and

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit four (4) certified copies of the foregoing resolution to: New York State Department of Transportation, 317 Washington Street, Watertown, New York 13601, Attn: Brian A. Baxter, PE.

Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

Resolution No. 2 - Approving Agreement For Professional Land Surveying Services, Storino Geomatics

Introduced by Council Member Roxanne M. Burns

WHEREAS in the course of business the City of Watertown routinely has a need for land surveying services, and

WHEREAS the City does not have a licensed land surveyor on its staff to perform routine survey work as the need arises, and

WHEREAS surveying services are professional services within the meaning of the New York General Municipal Law, and

WHEREAS Storino Geomatics has offered to perform routine surveying services for the City in connection with assigned projects at specified rate for identified services on a non-exclusive basis,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement for Professional Land Surveying Services, between the City of Watertown and Storino Geomatics, 179 Conger Avenue, Watertown NY, a copy of which is attached and made a part of said resolution, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute said agreement on behalf of the City of Watertown.

Secoded by Council Member Teresa R. Macaluso

Prior to the vote on the foregoing resolution, Council Member Butler asked for the estimated billable hours for 2012 and 2011.

Kurt Hauk, City Engineer replied that these services are used on an as needed basis. He said that it is used with easement work, Planning Board submittals, or work on a private property. He added that it is not project driven. In regards to the change in rate, he commented that it is approximately 1 % which he thinks is reasonable.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

Resolution No. 3 - Approving Amendment No. 3 to Professional Services Agreement, GHD Consulting Engineers LLC

Introduced by Council Member Jeffrey M. Smith

WHEREAS on August 20, 2012, the City Council of the City of Watertown approved Amendment No. 1 to Professional Services Agreement with GHD Consulting Engineers LLC for the disinfection improvements to the Watertown Wastewater Treatment Plant, and

WHEREAS on January 2, 2013, the City Council of the City of Watertown approved Amendment No. 2 to Professional Services Agreement with GHD Consulting Engineers LLC, and

WHEREAS Amendment No. 3 results in an additional amount of \$25,700 to the Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Amendment No. 3, a copy of which is attached and made part of this resolution, in the amount of \$25,700 to Professional Services Agreement with GHD Consulting Engineers LLC for the disinfection improvements to the Watertown Wastewater Treatment Plant, and

BE IT FURTHER RESOLVED that the City Manager Sharon Addison is hereby authorized and directed to execute the Agreement on behalf of City Council.

Secoded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

Resolution No. 4 - Approving Change Order No. 1 to Agreement for Fluoride Tank Replacement System, Continental Construction

Introduced by Council Member Roxanne M. Burns

WHEREAS on October 15, 2012, the City Council of the City of Watertown approved the bid from Continental Construction for the Fluoride Feed Replacement System at the water Treatment Plant per our specifications, and

WHEREAS the Charge Order No. 1 to Agreement has been submitted to delete the materials allowance in the contract which was not needed to complete the work, and

WHEREAS Change Order No. 1 results in a deduction in the amount of \$2,500.00 to the Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Change Order No. 1 to the Agreement between the City of Watertown and Continental Construction a deduction of \$2,500.00 for the removal materials not needed, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute the Change Order on behalf of the City of Watertown.

Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

Resolution No. 5 - Approving Amendment No. 1 to Agreement for Professional Services for Fluoride Tank Replacement, Bernier, Carr & Associates

Introduced by Council Member Teresa R. Macaluso

WHEREAS on January 17, 2012, the City Council of the City of Watertown approved Agreement for Professional Services with Bernier, Carr & Associates for engineering services for the development of the plans and specifications for the Fluoride Tank Replacement, and

WHEREAS the Amendment No. 1 to Agreement for Professional Services with Bernier, Carr & Associates has been submitted which lists the scope of work to be provided, and

WHEREAS Amendment No. 1 results in an additional amount of \$1,545.11 to the Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Amendment No. 1 to the Agreement for Professional Services between the City of Watertown and Bernier, Carr & Associates for an additional scope of work to be provided, a copy of which is attached and made a part of this resolution.

Seconded by Council Member Roxanne M. Burns

Prior to the vote on the foregoing resolution, Council Member Smith questioned the reason for the increase in regards to the temporary system.

Mike Sligar, Water Superintendent stated that during the replacement there was a period of 7-10 days that fluoride would not be added to the water and the project was planned that way. He explained that the Department of Health required that a temporary system be put in place to cover the 7-10 days in order to continue with the fluoridation of the water. This caused the additional cost.

Council Member Smith asked if the Department of Health could force the City of Watertown to fluoridate the water if the City was to decide to no longer do it.

Mr. Sligar responded that there is no NYS law that requires fluoridation to be done.

Council Member Smith questioned why the Department of Health can require the City to have a temporary system.

Mr. Sligar stated that he is not sure what would have happened if the temporary system was not done but it was and now the City is paying for something that was already done.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea except for Council Member Jeffrey M. Smith voting nay.

Resolution No. 6 - Amendment No. 88 to the Management And Management Confidential Pay Plan

Introduced by Council Member Jeffrey M. Smith

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York hereby approves Amendment No. 88 to the Management and Management Confidential Pay Plan, retroactive to December 18, 2012, as follows:

<u>Position</u>	<u>Salary</u>
Chief Waste Water Treatment Plant Operator	\$67,650

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 7 - Accepting Bid for Fire Department Pagers, Leavitt Communications

Introduced by Council Member Jeffrey M. Smith

WHEREAS the City Purchasing Department has advertised and received sealed bids for the sixty (60) new Motorola Minitor V pagers, per our specifications, and

WHEREAS bid were requested by ten (10) vendors, with six (6) sealed bids received and publicly opened and read in the City Purchasing Department on Wednesday, April 24, 2013, at 11:00 a.m., and

WHEREAS City Purchasing Manager Amy M. Pastuf reviewed the bids received with the City Fire Department, it is their recommendation that the City Council accept the bid submitted by Leavitt Communications,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York accepts the bid submitted by Leavitt Communications as the lowest qualifying bidder meeting our specifications in the amount of \$20,730.00

Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

Resolution No. 8 - Adopting Revised Guidelines and Administrative Procedures for the Rental Rehabilitation Program

Introduced by Council Member Roxanne M. Burns

WHEREAS the City of Watertown has received Small Cities Community Development Block Grant funding from the New York State Office of Community Renewal (OCR) to implement a local rental rehabilitation program, and

WHEREAS the City has agreed to administer that program in compliance with rules and regulations established by the U.S. Department of Housing and Urban Development and published in the Code of Federal Regulations at 24 CFR Part 570, and

WHEREAS local Guidelines and Administrative Procedures were adopted by the City Council on January 20, 2009 when initial funding was received for this program, and revisions were approved by the City Council on December 21, 2009, and April 16, 2012, and

WHEREAS revisions have been made to the Guidelines and Administrative Procedures for the additional funding that was awarded by OCR in 2012,

NOW THEREFORE BE IT RESOLVED that the revisions to the Guidelines and Administrative Procedures for the City of Watertown's Rental Rehabilitation Program are hereby adopted and shall become effective immediately for all rental rehabilitation activities conducted with Small Cities Community Development Block Grant funding in the City of Watertown.

Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

Resolution No. 9 - Approving Contract for Use of Buildings and Grounds, Watertown City School District

Introduced by Council Member Roxanne M. Burns

WHEREAS the City of Watertown desires to run a Summer Recreation Program within the City of Watertown, and

WHEREAS the Watertown City School District is willing to authorize the City to use its facilities for said purpose, and

WHEREAS there is no cost associated with the Agreement between the City of Watertown and the Watertown City School District, and

WHEREAS the City deems the providing of a Summer Recreation Program to be a benefit to the citizens of the City,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement between the City and the Watertown City School District, a copy of which is attached and made a part of this resolution, 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 Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 10 - Approving Agreement for Flat Fee Use of City-Owned Athletic Fields, Sunday Softball League

Introduced by Council Member Roxanne M. Burns

WHEREAS the City of Watertown owns and operates numerous athletic fields throughout the City, and

WHEREAS the Sunday Softball League has expressed their desire to enter into an Agreement for Flat Fee Use of City-Owned Athletic Fields for league events, and

WHEREAS the City Council of the City of Watertown desires to promote recreational activities at this community recreational facility,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown that it hereby approves this Agreement for Flat Fee Use of City-Owned Athletic Fields between the City of Watertown and the Sunday Softball League, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute this agreement on behalf of the City of Watertown.

Seconded by Council Member Joseph M. Butler, Jr.

Prior to the vote on the foregoing resolution, Council Member Butler asked how the flat fee was determined for each of these groups involved in Resolution 10 – Resolution 12.

Erin Gardner, Parks and Recreation Superintendent indicated that the fee is based on the number of teams and the number of fields used on a particular day. She also responded to Council Member Butler that there are no outstanding invoices from any of these groups.

Council Member Smith asked if the field assignment is determined by the Parks and Recreation Department or the teams.

Ms. Gardner replied that these teams only use the general use fields.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

Resolution No. 11 - Approving Agreement for Flat Fee Use of City-Owned Athletic Fields, North Country Lacrosse League

Introduced by Council Member Jeffrey M. Smith

WHEREAS the City of Watertown owns and operates numerous athletic fields throughout the

City, and

WHEREAS the North Country Lacrosse League has expressed their desire to enter into an Agreement for Flat Fee Use of City-Owned Athletic Fields for league events, and

WHEREAS the City Council of the City of Watertown desires to promote recreational activities at this community recreational facility,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown that it hereby approves this Agreement for Flat Fee Use of City-Owned Athletic Fields between the City of Watertown and the North Country Lacrosse League, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute this agreement on behalf of the City of Watertown.

Seconded by Council Member Teresa R. Macaluso

Prior to the vote on the foregoing resolution, Mayor Graham stated he is pleased to see that the City is codifying the fees with these groups so that this department knows what to bill especially in light of the past accounting practices. He added that by putting everything into a written form, better relationships are built with these groups.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

Resolution No. 12 - Approving Agreement for Flat Fee Use of City-Owned Athletic Fields, Sunday Touch Football League

Introduced by Council Member Teresa R. Macaluso

WHEREAS the City of Watertown owns and operates numerous athletic fields throughout the City, and

WHEREAS the Sunday Touch Football League has expressed their desire to enter into an Agreement for Flat Fee Use of City-Owned Athletic Fields for league events, and

WHEREAS the City Council of the City of Watertown desires to promote recreational activities at this community recreational facility,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown that it hereby approves this Agreement for Flat Fee Use of City-Owned Athletic Fields between the City of Watertown and the Sunday Touch Football League, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute this agreement on behalf of the City of Watertown.

Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

Resolution No. 13 - Waive Hook-up and Disconnect Fees for 2013 Concert Series for Disabled Persons Action Organization

Introduced by Council Member Teresa R. Macaluso

WHEREAS included in the contract with Disabled Person Action Organization, there is a charge under “additional requests” for the hook-up and disconnect of sewer and electric for trailers used for concerts at the Watertown Municipal Arena, and

WHEREAS the City Council has received a request from Disabled Persons Action Organization asking that these fees be waived for all concerts held during the 2013 concert series, and

WHEREAS the City Council of the City of Watertown desires to waive the fees for these hook-up and disconnects,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown that City Manager Sharon Addison is hereby authorized and directed to take any necessary steps to waive the charges for the hook-up and disconnect of sewer and electric for trailers used for concerts by the Disabled Persons Action Organization during the 2013 concert series.

Seconded by Council Member Jeffrey M. Smith

Prior to the vote on the foregoing resolution, Council Member Burns commented that she is in full support of the new management team in the Parks and Recreation Department but she did not like that this fee was given to the DPAO the day before the tickets went on sale. She noted that the DPAO stated that they are willing to pay the fees but with this late notice they cannot bill this amount into the ticket sales. She mentioned that the DPAO has had a loss of state funding but their expenses continue to grow every year. She said that Council should waive this fee and approve this resolution.

Mayor Graham clarified that normally when a waiver is requested, it does not get presented directly as a resolution but he asked the City Manager to prepare this resolution so that it would come up for discussion this evening. He noted that the news coverage sometimes portrays this as a false referendum towards Mr. Rich, the DPAO, or the disabled people but he does not view it this way. He stressed that the City provides a variety of services in the interest of the public for a variety of people but the City is just trying to come to grips with the costs within this department because there are operating costs of the arena and a four million dollar improvement project scheduled for this facility. He stated that every event that is held there costs the City taxpayers money because the amount that is taken in with fees does equal out. In regards to the quality of life component, he said the City needs to look at the number of events held especially if each one operates in the red for the City. He would like to see the marginal costs recovered. He added that it is often portrayed that the City is running people out of town but the DPAO spent \$1 million for expenses of which only \$8,820 was paid to the City in fees. He reminded Council that the City also gives DPAO a \$5,000 grant so the net out of pocket for the DPAO was only \$3,820. He hoped this would give a better perspective when it is debated within the community. He asked the City Manager to codify the fees by mid-summer so that it is it crystal clear for next year because no one wants to continue with this cycle.

Council Member Smith concurred with Council Member Burns in that this was a late fee. He remarked

that his concern with the fees is that they are not actual cost because it is charged using FEMA rates. He would like to know the true cost so that it does not mislead the public. He reiterated that the DPAO provides a benefit to the community in terms of the services that they provide and the additional money that is spent in the area due to the concert series.

Council Member Burns added that she agrees with the Mayor in that the City of Watertown puts in a lot of time, effort and money which does cost the taxpayers money. In her opinion, taxpayers are willing to subsidize these events because they want these events here. She cited other events such as the Fireball Run, parades and the Downtown Business Association's events which also uses City resources and taxpayer's money.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

Resolution No. 14 - Authorizing the Sale of the Portions Hycliff Drive North and of Kendall Avenue North that Lie Northeasterly of Clover Street

Introduced by Council Member Teresa R. Macaluso

WHEREAS the subdivision map titled "Highlands" filed with the Jefferson County Clerk on July 21, 1893 lays out Hycliff Drive North and Kendall Avenue North, and

WHEREAS the City Council has never assigned for public use and has no interest in accepting or dedicating the portions of said streets that lie northeasterly of Clover Street, described as follows:

ALL THOSE TRACTS or parcels of land situate in the City of Watertown, County of Jefferson, State of New York, and further described as those portions of Kendall Avenue Extension and Hycliff Drive Extension between the northeasterly margin of Clover Street all as shown on a map titled "Highland's, Plat of Land" recorded in the Jefferson County Clerk's Office July 21, 1893 situate on the southwest of said parcels and a portion of the land conveyed by S. Brown Northrop and Marion J. Northrop to Jefferson County by deed recorded in the Jefferson County Clerk's Office in Liber 827 at Page 1175 on April 16, 1971.

And,

WHEREAS County of Jefferson owns all parcels of land abutting said portions of streets and is cooperating with Jefferson Community College in developing a residence hall on the site, and

WHEREAS County of Jefferson has made an offer to purchase any interest the City of Watertown may have in the described lands for a sum of \$1.00,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that pursuant to § 23 (b) of the General City Law, § 247 of the Charter of the City of Watertown as amended by Local Law No. 1 of 1985, adopted December 3, 1984, effective January 17, 1985, and the Ordinance, Municipal Code, Chapter 16 adopted by the City Council on June 6, 1977 that the offer of \$1.00 submitted by County of Jefferson, New York for the purchase of the portions of Hycliff Drive North and Kendall Avenue North that lie northeasterly of Clover Street is a fair and reasonable offer, and is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized, empowered, and directed to execute a Quit Claim Deed of said real property to County of Jefferson New York upon receipt of the above mentioned sum of money, in cash only, by the City Comptroller.

Seconded by Council Member Joseph M. Butler, Jr.

Prior to the vote on the foregoing resolution, Council Member Smith asked if the County and College are aware that the City is making no representation as to ownership or rights in this.

Attorney Slye responded that that is what a quit claim deed is and the County understands that.

Ken Mix, Planning Coordinator explained that there are two Clover Streets on the map and this is a paper street by the college.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

ORDINANCES

Ordinance No. 1 - An Ordinance Amending the Ordinance Dated February 21, 2012, as Amended January 22, 2013, Authorizing the Issuance of \$460,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay Part of the \$750,000 Estimated Maximum Cost of the Design of a Disinfection System at the City's Wastewater Treatment Plant, to Increase the Estimated Maximum Cost Thereof to \$800,000

Introduced by Council Member Jeffrey M. Smith

WHEREAS, by ordinance dated February 21, 2012, the Council of the City of Watertown, Jefferson County, New York, authorized the issuance of \$460,000 bonds of said City to pay part of the \$710,000 estimated maximum cost of the design of a disinfection system for the City's wastewater treatment plant, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, a specific object or purpose, in and for the City of Watertown, Jefferson County, New York; and

WHEREAS, by ordinance dated January 22, 2013, said Council amended the February 21, 2012 ordinance, to authorize the issuance of \$460,000 bonds of said City to pay part of the \$750,000 estimated maximum cost of the design of a disinfection system for the City's wastewater treatment plant, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, a specific object or purpose, in and for the City of Watertown, Jefferson County, New York; and

WHEREAS, the Council now wishes to increase the estimated maximum cost of the aforesaid specific object or purpose from \$750,000 to \$775,000, an increase of \$25,000 over that previously authorized;

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

Section A. The title and Sections 1 and 2 of the ordinance of this Council dated and duly adopted February 21, 2012, as amended on January 22, 2013, authorizing the issuance of \$460,000 bonds to pay part of the \$750,000 estimated maximum cost of the design of a disinfection system for the City's wastewater treatment plant, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, a specific object or purpose, in and for the City of Watertown, Jefferson County, New York, are hereby amended, in part, to read as follows:

“AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$460,000 BONDS OF THE CITY OF WATERTOWN, JEFFERSON COUNTY, NEW YORK, TO PAY PART OF THE \$775,000 ESTIMATED MAXIMUM COST OF THE DESIGN OF A DISINFECTION SYSTEM AT THE CITY'S WASTEWATER TREATMENT PLANT.

“

“Section 1. To pay part of the cost of the design of a disinfection system for the City's wastewater treatment plant, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$460,000 bonds of said City pursuant to the provisions of the Local Finance Law.

“Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$775,000 and that the plan for the financing thereof is by the issuance of the \$525,000 bonds of said City authorized to be issued pursuant to this bond ordinance, together with the use of \$250,000 current funds of the City.”

Section B. 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 C. Upon this ordinance taking effect, the same shall be published in summary in the 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.

Section D. This resolution is effective immediately.

Seconded by Council Member Joseph M. Butler, Jr.

Motion for unanimous consent moved by Council Member Jeffrey M. Smith, seconded by Council Member Joseph M. Butler, Jr. and carried with all voting in favor thereof

Motion was made by Council Member Roxanne M. Burns to table the foregoing ordinance until the typographical errors within it could be fixed. Motion was seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

OLD BUSINESS

The Ordinance “Amending City Municipal Code § A320-9”. *(Introduced on 4/15/2013; laid over under the rules; appears in its entirety in the 2013 Minutes Book on page 4-5 of the 4/15/2013 minutes).*

Council Member Smith questioned the wording of the ordinance and asked for the definition of a performance.

Ms. Gardner commented that it would be something similar to a concert such as a comedian or a children’s show.

Council Member Smith questioned what is looked at to define a performance because everyone can interpret their own definition.

Ms. Gardner stated that she bases her judgment by what she has been taught since being in this position. She said this was intended for the small groups such as BRVHA in which only 75-100 people attend. In a case like this, she advised that the \$250 vendor fee was a 50-60% of the revenue for those vendors.

Council and Ms. Gardner debated other situations in which this new fee would or would not apply suggesting that a performance or concert should be something that is charged as this and requires the City to setup, tear down and do additional work in order for the event to be held..

At the call of the chair, a vote was taken on the foregoing ordinance and carried with all voting yea.

The Ordinance “Amending the Code of the City of Watertown, §310-1 Definition of a Family and §310-34, Accessory Uses in Residence Districts”. *(Introduced on 4/1/2013; tabled on 4/15/2013; appears in its entirety in the 2013 Minutes Book on page 4-5 of the 4/15/2013 minutes).*

No motion to remove from the table.

STAFF REPORTS

Public Hearings for 2013-14 Operating Budgets and 2013-14 through 2017-18 Capital Budget

Motion was made by Council Member Joseph M. Butler, Jr. to schedule a Public Hearing on the 2013-14 Operating and 2013-14 through 2017-18 Capital Budget for Monday, May 20, 2013 at 7:30 p.m. Motion was seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

Spring Drop Off Flyer

A flyer was available for Council to review.

NEW BUSINESS

Noise Ordinance

Mayor Graham mentioned that Ms. Ryan brought up the Noise Ordinance during Privilege of the Floor but she is no longer in the audience. He reminded Council that the Police Chief was going to give a report at the next work session.

Street Cleaning

Council Member Burns noted that street cleaning has been taking place and that it makes a big impression on how the City looks.

Notice of Claim from Jefferson County

Council Member Burns asked for more information regarding this.

Attorney Slye indicated that it involves a fender bender in the parking lot of the Public Safety Building.

Spring Cleanup

Council Member Butler asked if cleanup along the Waterworks Parks has been done.

Gene Hayes, Superintendent of Public Works advised that sometimes an organization does work there and that the Water Department maintains this park but he can look into it.

Mercy

Mayor Graham told Council that this building is now empty and until the new owner takes title of it, there are concerns about whether systems will be kept up to code. The previous owners are not in a position to fund this so the Mayor and Attorney Slye worked up a request for the Watertown Local Development Corporation to help with this.

Stream Parking Lot

Ms. Addison gave an update on this contract stating that Stream is agreeable to release the Liberty parking lot for public use unless the capacity in the other parking lots exceed their needs, then they will approach the City to partition it off as necessary. In regards to maintenance costs, the expense to the City is \$62,000 and Stream has agreed to reimburse the City \$20,000 which is the amount that has always been in the PILOT. In the past, the City only received \$3,500.

Mayor Graham said that he thinks this is a good compromise and is supportive of it coming directly to Council.

Council Member Burns asked if there has been any dialogue with Mr. Coon who represents the ownership of the Liberty Building.

Ms. Addison replied that she had not.

Council Member Butler said that he supports this and would like it to move forward but he questioned the maintenance.

Ms. Addison clarified that the City was doing the maintenance but Stream was doing it as well and therefore, the City was receiving the balance of the \$20,000 that was left after paying someone else for this service.

Tennis Courts

Mayor Graham had questioned whether the expansion to the YMCA could be added to the front of the building but it would violate the setback requirements. He remarked that it is not going to be easy to get state legislation for this.

Watertown Golf Club

Mayor Graham stated that he met with former Mayor Butler to discuss a request from the Watertown Golf Club to purchase the City-owned property containing nine of their holes. He reminded Council that they currently lease the property for approximately \$10,000 per year. He said that he sees merit to this proposal but thinks there are a lot of hurdles to get through. He wanted Council to start thinking about this and prepare to discuss it further in the future.

Council Member Butler clarified that the Watertown Golf Club currently pays taxes on this property.

Mayor Graham mentioned that there is a section of the golf course that is in the Town of Watertown and it should be annexed into the City.

Budget Meeting

Mayor Graham said that there is a budget meeting scheduled for May 7th at 6:00 p.m.

Live Sports Video & Squared Circle Wrestling

Ms. Addison stated that she received a letter from Live Sports Video thanking Erin Gardner and Peter Keenan for their assistance in setting up a live webcast for the Squared Circle Wrestling Event.

Motion was made by Council Member Jeffrey M. Smith to move into Executive Session to discuss the employment history of a particular individual, pending litigation matters, and lease or sale of public property which if publicly discussed would affect the value thereof.

Motion was seconded by Council Member Joseph M. Butler, Jr. and carried with all voting in favor thereof.

Council moved into Executive Session at 8:29 p.m.

Council reconvened at 9:00 p.m.

ADJOURNMENT

At the call of the chair, meeting was duly adjourned at 9:00 p.m. by motion of Mayor Jeffrey E. Graham, seconded by Council Member Joseph M. Butler, Jr. and carried with all voting in favor thereof.

Ann M. Saunders, City Clerk