

**SPECIAL COUNCIL MEETING
CITY OF WATERTOWN
May 11, 2009
6:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: **COUNCIL MEMBER JOSEPH M. BUTLER, JR.**
 COUNCIL MEMBER PETER L. CLOUGH (arrived at 6:17 p.m.)
 COUNCIL MEMBER JEFFREY M. SMITH
 MAYOR GRAHAM

ABSENT: **COUNCIL MEMBER ROXANNE M. BURNS**

ALSO PRESENT: **CITY MANAGER MARY M. CORRIVEAU**

The following ordinances and local laws were presented to the City Council:

INTRODUCED BY MAYOR JEFFREY E. GRAHAM

BE IT ORDAINED that Chapter 148 of the City Code of the City of Watertown is amended to **add** the following:

§ 148-3. Alarm Systems.

A. As used in this section, the following terms shall have the meanings indicated:

ALARM SYSTEM – A device or an assembly of equipment which emits an audible response which is intended to alert persons outside the premises to the existence of a hazard or emergency or which is intended to alert emergency agencies by automatically dialing an emergency agency or which is connected to a private answering point for the purposes of reporting such alarms to emergency agencies or which is directly connected to the emergency communications center or other emergency agency.

ALARM USER – Any person who owns, leases or uses an alarm system in the City of Watertown, except for a person whose alarm is on a mobile vehicle or is a proprietary system.

AVOIDABLE ALARM – The activation of an alarm system through mechanical failure, malfunction, improper installation or the negligence of the owner, user, custodian or lessee of an alarm system, or of his employees or agency, or through any other cause which, through direct connection through an emergency agency, or which, through notification to an emergency agency by any other second party or means, indicates that emergency situations exist requiring an emergency response within the City of Watertown when, in fact, an emergency situation does not exist. An “avoidable alarm”

also includes the knowing or intentional activation of an alarm to an emergency agency and the activator knows that an emergency situation does not exist. "Avoidable alarm" does not include alarms activated by violent conditions or nature, such as hurricanes, tornados, earthquakes or any other similar cause beyond control of the user of an alarm system. Activation of alarm systems under any circumstances which the activator reasonably believes that emergency situations exist is not an "avoidable alarm."

EMERGENCY AGENCY – The Police Department or Fire Department, when summoned to respond to an emergency situation by the fire/police dispatch center.

LOCAL ALARM SYSTEM – A signaling system which, when activated, causes an audible signaling device to be activated outside the premises within which the system is installed.

PRIVATE ANSWERING POINT – A business which offers the services of receiving emergency signals, monitoring said signals and relaying them to an emergency agency.

PROPRIETARY SYSTEM – An alarm, sounding and/or recording alarm and supervisory signals at a control center located within the premises protected by the alarm which is not intended to alert persons outside the premises on which the alarm system is located of a possible hazard and not intended to alert an emergency agency, the control center being under the supervision of the proprietor of the protected premises. If a "proprietary system: includes a signal line connected directly or by means of an automatic dialing device to an emergency agency or to a private answering point or to a local alarm system, it thereby becomes an alarm system as defined in this section.

B. Exemptions. The provisions of this chapter shall not apply to proprietary alarm systems. Additionally, a thirty-day grace period will be allowed for new alarm systems.

C. Notice of excessive use fees.

(1) The city shall notify an alarm user in writing, by means of first class mail sent to the home address listed at the dispatch center, of all avoidable alarms during the calendar year. Such notice shall inform the alarm user that if the alarm user has more than three (3) avoidable alarms within a calendar year, then he will be subject to an excessive use fee. The excess user fee shall be as follows:

- (a) Four through six alarms: \$50 per alarm.
- (b) Seven through nine alarms: \$100 per alarm.
- (c) Ten through twelve alarms: \$ 150 per alarm.
- (d) Each additional alarm after twelve: \$200 per alarm

(2) The city shall notify each alarm user in writing, by means of first class mail, of each avoidable alarm incurred and the amount to be charged. Should the city not receive prompt payment within thirty (30) days of the date of the invoice, the city reserves the right to disconnect the user from the emergency control center panels.

Additionally, the city reserves the right to disconnect the user from the emergency control center panels for excessive abuse.

- D. Administrative review. The Chief of Police and the Fire Chief shall establish policy and procedures whereby an alarm user who has been notified of an avoidable alarm may present evidence as to why any such alarm should not be classified as an avoidable alarm. The Chief of Police and the Fire Chief shall designate members of their Departments to collect such evidence and make a recommendation and finding of fact concerning such classification. The Chief of Police or the Fire Chief shall make the final determination concerning a classification, which determination shall be reviewable only pursuant to procedures established under Article 78 of the Civil Service Law and Rules. In order to challenge the classification of an alarm as an avoidable alarm, an alarm user must notify the Chief of Police in writing within twenty (20) days after the notification to the alarm user of the avoidable alarm. The failure to give timely notice shall be deemed a waiver of the right to challenge the classification.

- E. Right of disconnect. The decision to disconnect users from the fire control center shall be at the sole and absolute discretion of the Fire Chief of the Fire Department. The decision to disconnect users from the intrusion alarm system shall be at the sole and absolute discretion of the Police Chief of the Police Department.

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 COUNCIL MEMBER JOSEPH M. BUTLER, JR.

Mayor Graham asked about some cities requiring everyone who has an alarm system to have a permit.

Chief Sayre addressed the chair concerning the ordinance before them. He explained that based on 390 false alarms, assessing a fine is estimated to generate between \$6,000- \$7,000. Of the 390 false alarms, 11.5% were malicious, 1.4% were malfunctions, 4.3% were not malfunctions and 4.5% were judgment calls as to whether they were malfunctions or not. He explained that the original ordinance was passed in the 1980's and was abandoned in 2005 because Council wanted people to have access to services and not be penalized.

Council Member Smith asked what business or organization has the most of the false alarms.

Chief Sayre stated that it is Mercy and the Children's Home.

Council Member Clough asked about Watertown High.

Chief Sayre explained that calls there are usually a result of lab experiments or gas detectors. He also explained that the age of the building is taken into consideration and a grace period is given.

Mayor Graham asked how many are a result of building code violation.

Chief Sayre responded that malfunction is one thing. Malicious alarms are for the police. There is nothing in the building code that addresses false alarms. He remarked that in the case of the Children's Home there are several reasons that the alarms go off.

Council Member Butler asked what the management of the Children's Home say about the number of alarms.

Chief Sayre remarked that there needs to be more supervision. Concerning the Mercy, they need more money to improve the system.

Council Member Smith asked if there should be a fee for false alarms.

Chief Sayre responded that the department works with businesses to try for voluntary compliance. If that isn't received, then there should be a fine imposed.

Council Member Butler remarked that he doesn't look at this as a revenue source. He remarked that the expense of deploying for something that didn't happen is costly. He remarked that his concern is how to fix the situation and bring them into compliance.

Council Member Smith remarked that he appreciated everything that Chief Sayre was saying. However, there are a number of non-profit organizations, not paying any taxes, and using up even more resources.

Council Member Clough asked if Chief Sayre was saying that there needs to be changes made to the ordinance.

Chief Sayre responded that he would like the opportunity to redraft the ordinance if Council wishes.

Mayor Graham remarked that Council wouldn't vote on an ordinance until they were comfortable with it.

Chief Sayre explained that false alarms are not up over last year. He advised that there are different types of detection systems available that reduce the false alarm calls.

Mayor Graham asked about businesses shutting off the system to prohibit false alarms.

Chief Sayre explained that if they are not connected, they are cited. However, there is no mechanism in place to fine them.

Mayor Graham wondered if STAT has an opinion on this ordinance. He stated that he would be interested in their input. He also remarked that it is hard to get a law undone once it has been approved.

Chief Sayre explained that the Board of Education was against it in 2005.

Mrs. Corriveau advised that the City hadn't been billing for several years before 2005. Council came to the conclusion that if it wasn't being billed, it should be repealed. She asked if Council wanted the ordinance redrafted.

Council Member Butler asked that it be rewritten to allow for flexibility.

LAI D OVER UNDER THE RULES

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

BE IT ORDAINED that Chapter A320 of the City Code of the City of Watertown is **amended** as follows:

§ A320-6. Schedule of Fees

B. The CitiBus fare schedule and monthly bus pass program fare schedule shall be as follows:

- (1) One-way regular bus fare: \$1.25.
- (2) One-way elderly and handicapped bus fare: \$.75.
- (3) One-way regular bus fare transfer: no charge.
- (4) Regular econo booklet, 20 one-way fares: \$20.
- (5) Elderly and handicapped econo booklet, 20 one-way fares: \$15.
- (6) One-way ADA paratransit bus fare: \$2.25.
- (7) Children's fare: \$0.50 for ages 6-12.
- (8) One-way student fare: \$1.

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 COUNCIL MEMBER JOSEPH M. BUTLER, JR.

Mayor Graham remarked that rates should be more in line with where they need to be. He stated that it needs to be a fair schedule commensurate with services being offered. He stated that he is also an advocate for expanding the service. He remarked that the fee should probably be \$2.00. A volume discount could be offered, if a discount was to be available. He stated that he would be in favor of a uniform fare.

Council Member Smith concurred with a \$2.00 fare. He remarked that while the senior pass could be discounted, it needs to be higher than .75¢. He remarked that riders are getting good,

clean, dependable service.

Council Member Clough agreed with the \$2.00 fare and suggested a discount for a book.

Council Member Butler responded that he doesn't agree with the Mayor. He asked how much a book would sell for.

Council Member Smith suggested \$30 for a book of 20 tickets.

Council Member Butler remarked that the \$2 vs. \$1 is just one more thing for these people. He stated that the increase means more to them than to the City generating a few thousand dollars. He stated that it is a public service and we have the opportunity to help others.

Council Member Clough remarked that the increase would also help people who pay city taxes.

Mayor Graham remarked that unfortunately, we have a 15 year old fare structure.

Council Member Clough commented that we need to make it as simple as possible – one fee and a discount book for everyone.

Suggestions were made for the paratransit at \$2.50

Mrs. Corriveau advised that at this time, paratransit is double what the one way fare is.

Council proposed the following changes to the ordinance:

- (1) One-way regular bus fare: \$2.00
- (2) One-way regular bus fare transfer: no charge.
- (3) Regular econo booklet, 20 one-way fares: \$30
- (4) Elderly and handicapped econo booklet, 20 one-way fares: \$20.
- (5) One-way ADA paratransit bus fare: \$3.00
- (6) Children's fare: \$0.50 for ages 6-12.

LAI D O V E R U N D E R T H E R U L E S

I N T R O D U C E D B Y C O U N C I L M E M B E R J E F F R E Y M . S M I T H

BE IT ORDAINED that Chapter A320 of the City Code of the City of Watertown is **amended** as follows:

§ A320-6. Schedule of Fees

<u>Type</u>	<u>Fee</u>
Marriage Solemnization Fee	\$50.00

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 COUNCIL MEMBER JOSEPH M. BUTLER, JR.

LAI D OVER UNDER THE RULES

INTRODUCED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

BE IT ORDAINED that Chapter A320 of the City Code of the City of Watertown is **amended** as follows:

§ A320-4. Schedule of fees.

F. The schedule for general admission to the City's Fairgrounds Municipal Arena shall be established and enforced as follows:

- (1) Public skating session: \$2 per person per session.
- (2) Minor hockey and figure skating: \$70 per hour.
- (3) High school and college practice: \$70 per hour.
- (4) Adult and out-of-town groups: \$80.
- (5) Rock and Skate: \$3 per person.
- (6) Children's box lacrosse: \$20 per hour.
- (7) Adult box lacrosse: \$40 per hour.
- (8) Events where admission or donation is charged: \$100 per hour.
- (9) Shows and events: \$500 per day; \$250 per day to reserve arena prior or post event; plus additional labor expenses incurred above and beyond initial fee.
- (10) Use of the arena by the Jefferson County Agricultural Society during Jefferson County Fair Week: \$2,000.
- (11) Chair rental: \$0.50 per chair per day; table rental: \$2.50 per table per day or \$7 per table per weekend.
- (12) Non-prime time ice rates and usage credit program. Non-prime time is between the hours of 6:00 a.m. and 7:30 a.m. and 10:30 p.m. to 12:00 midnight. The non-prime time hourly rate is \$42. Once time has been scheduled, it is noncancelable and the scheduler will be charged. Usage credits are calculated as follows: for every four hours of non-prime time usage during a season, the user earns one hour credit of non-prime time usage. Usage credits must be used within the season earned.

and,

BE IT FURTHER ORDAINED that Chapter A320 of the City Code of the City of Watertown is **amended** as follows:

§ A320-9. Schedule of fees.

Municipal fairgrounds facility fees shall be as follows:

A. Municipal fairgrounds main baseball field fees:

- (1) Single game: \$60.
- (2) Double header: \$90.
- (3) Watertown Wizards: \$200.

B. Municipal fairgrounds main multiuse field:

- (1) \$60 per game, plus \$50 per game for lights.

C. Municipal fairgrounds horse ring: \$60 per show.

D. Municipal fairgrounds rental: \$200 per day.

E. Non-premier multiuse fields:

- (1) Single Game: \$30 per game.
- (2) Double header: \$45 per game

F. Tennis Program:

- (1) City resident: \$15.
- (2) Non-city resident: \$20.

G. Golf Program:

- (3) City resident: \$15.
- (4) Non-city resident: \$20.

H. Pavilion Rental: \$10.

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 COUNCIL MEMBER JEFFREY M. SMITH

Council Member Smith asked what the associations said about this.

Mr. St. Croix responded that he had not heard back from them.

Council Member Clough asked about the rates at other facilities.

Mr. St. Croix explained that the average is \$60 per hour for ice time. Clayton is at \$55; Bonnie Castle is \$75; Potsdam, Canton and Massena are \$70; Ogdensburg and Alex Bay were at \$55 a few years ago.

Council Member Smith advised that Watertown Hockey is merging with Clayton and renting more ice there. He remarked that raising the fee only hurts us. People are already going out to other places because there is not enough ice here.

Mayor Graham commented that all of these things are effectively subsidized in some way and we are not in the ice arena business.

Council Member Smith remarked he thinks Council should hear from the association before any decision is made.

Council Member Clough remarked that if we are going to hear from them, we need to hear from the ball teams as well.

Mr. St. Croix explained that the reason they are merging with Clayton is to get the lower rate of \$55. Otherwise, the fee is \$95 per hour. In addition, the \$55 per hour requires a commitment for the hours, whether they are used or not.

Council Member Smith remarked that the hockey association is the largest consumer. He also commented that he doesn't feel that the City should charge to rent the pavilion in the park.

Mr. St. Croix explained that it is not a charge to rent. It is an administrative fee to reserve it.

Council Member Smith asked about the line items for adult and children's box lacrosse.

It was explained that there is no box lacrosse. This line item is being removed from the code system.

Mrs. Corriveau explained that there will be another ordinance coming before Council to correct entries still found in the City Code book.

Discussion was held relative to shows at the arena and the labor expenses incurred.

Mr. St. Croix commented that costs to work the weekend have become more expensive.

Council Member Butler asked if the groups had been talked with about this.

Mr. St. Croix explained that the cost could run as much as \$5,000 - \$6,000 for bleacher and stage setup, cleanup and monitoring of the event.

Council Member Clough asked what he thought would be considered a reasonable fee.

Mr. St. Croix responded that \$500 for the building use is a comparative cost of doing business.

Council Member Clough remarked that he wouldn't vote if this was open-ended.

Council Member Butler suggested \$500 per day and \$500 per day for labor.

Mayor Graham asked about concerts that come in. They are a commercial event and it should be handled differently than organizations such as Bravo Italiano. He asked if bringing in an electrician is any different than paying for a sound & lighting company to come in.

Council Member Smith asked what the cost was for DPAO to rent the arena for a show.

Mr. St. Croix advised that it is \$500. The City also charges a \$1 parking fee for each vehicle. The ball field concerts are the same fee.

Council Member Clough remarked that if we are going to do this, we need to notify the big users that there will be changes made. He also remarked that since the City purchased chairs and replaces chairs for these events, they should be charging for the chairs.

Mayor Graham remarked that there are extraordinary expenses to service their equipment. However, having DPW working there is what we do.

Council Member Butler responded that he doesn't want to be in a position where people go elsewhere.

Mrs. Corriveau commented that it is fair to have Mr. Green's services billed to them

Council Member Clough asked if DPAO signs on for the whole season or one concert at a time.

Mr. St. Croix explained that it has been done both ways.

Council Member Clough asked if these labor costs could be written into the contract. He remarked that these are added expenses and should be in the contract rather than the ordinance.

Mr. St. Croix responded that they could be.

Mayor Graham remarked that the point is how we want to reasonably indemnify ourselves contractually.

Mr. Hayes advised that Foster's bring down three single-wide trailers for use as dressing rooms for the performers. City crews have to hook up water and sewer.

Council Member Smith remarked that he agreed with using a contract. However, the community events and the commercial events would have to have different contracts.

Mrs. Corriveau advised Council that she and Mr. St. Croix will discuss this.

Council Member Clough asked to have the extra item expenses put into a contract. He also asked that the pavilion fee be removed.

Council Member Smith stated that he would like to hear from the Hockey Association.

Council Member Butler asked about the fees tripling for tennis and golf.

Mrs. Corriveau explained that last year was the first year. The City is paying for someone to come in and teach the lessons.

Council Member Smith asked if there were any true hardship cases that couldn't afford the fee.

Mr. St. Croix explained that the Youth Bureau makes fees available for those cases.

Mayor Graham remarked that if hiring a person for a kids' program is necessary, then it should be done. He stated that he has no problem with the \$20 fee for non-city residents but the fee for city residents should remain at \$5.

Council Member Butler remarked that these programs are not a source of revenue.

LAID OVER UNDER THE RULES

INTRODUCED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

BE IT ORDAINED that Chapter 293 of the City Code of the City of Watertown is **amended** as follows:

§ 293-43. Policing and payment of violations

- A. Every owner found in violation of a two-hour parking limit either on-street or within a city-owned parking lot, and a notice is attached or affixed to such vehicle, shall pay to the City Comptroller of the City of Watertown as penalty for, and in full satisfaction of, such violation the amount of \$25.
- B. Any accrued fines not paid on or within 15 days of the date of violation shall be raised to \$35 for each delinquent notice and to \$40 after 30 days of such notice.

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 COUNCIL MEMBER JEFFREY M. SMITH

LAID OVER UNDER THE RULES

Commenting on the foregoing ordinance, Council Member Butler remarked that he would support an increase in parking fees. He remarked that City staff thinks that the \$15 currently charged is not a deterrent. The \$25 fee would sting a little more and hopefully, would reduce the number of parking tickets being issued.

Mayor Graham remarked that he understands giving out parking tickets for certain types of more heinous things such as parking by a fire hydrant. However, he said that writing tickets downtown is a source of grief and the ordinance should be changed.

Council Member Butler remarked that the ordinance should be enforced. He commented that in the downtown area this is a matter of safety.

Council Member Smith remarked that the parking is not just downtown. He said that the question becomes one of having the two hour parking limit for the benefit of the downtown business customers. He commented that people are getting tickets because they violated the parking. It isn't just in the downtown area. He also commented that Council has to look at the recommendations that come before Council from City staff. He asked what sense it made to go through the process if we are not going to enforce it.

Council Member Butler remarked that there had been a situation on Mullin Street where vehicles were parking all day. It hampered the businesses in that area. Warnings were given and then tickets were issued. The problem went away.

Council Member Smith commented that there are gray zones involving dropping off and picking up spots such as the fairground circle. He commented that he stopped to take his child into the arena and received a parking ticket one time.

Council Member Butler responded that on Sherman Street there is a dropping zone for children going to school and it works well. He remarked that if you leave the vehicle, then you will get a ticket.

Chief Goss explained that once you have parked and walk away from the vehicle, it is deemed as being parked. He suggested that Council might wish to keep the 2 hour parking at \$15 and have the prohibited zone at \$25.

Mayor Graham asked about someone just being slightly over 2 hours due to a doctor's visit.

Council Member Smith asked what would be done if the tenants in the upstairs apartments decide to parking in the spaces in front of the businesses for long periods of time. He questioned what happens if the same person is being abusive of the spaces and asked what number is acceptable or non acceptable to use up the spaces for hours at a time.

Mayor Graham remarked that to increase the fees as a function of the budget is tempting to agree

to. However, this will not deter people from parking violations. He also commented that double parking and parking at fire hydrants are safety issues.

Council Member Clough remarked that he agreed with Mayor Graham. He stated that a number of people have complained about getting tickets in the downtown. He remarked that there are no leeways given.

Council Member Butler suggested raising the fee to \$50.

Council Member Clough responded that Council Member Butler could vote for that, but he wouldn't be. He asked what the percentage of tickets written in the downtown was.

Chief Goss remarked that it is slightly less than 50 %. 1,971 tickets were written by parking enforcement and 4,297 were written by the whole department. 101 handicapped tickets were written. He advised Council that whatever they pass, the department will enforce. He also explained that many warnings were issued last fall when vehicles were parked on the synthetic asphalt.

Council Member Butler asked about determining repeat offenders.

Chief Goss explained that while it is difficult to do, it can be done by going through the tickets by hand. However, on Mullin Street, it was determined that it was the same people.

Mayor Graham asked about the hand-held units that are available.

Chief Goss advised that he and Mr. Mills will be at a meeting and demonstration for this next week.

Mayor Graham asked about a list for delinquent parking tickets.

Mr. Mills explained that he is looking into bringing the management of this in-house. Then the list could be produced.

** ** *

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

BE IT ORDAINED that Chapter 310 of the City Code of the City of Watertown is **amended** as follows:

§ 310-67. Special use permit.

- G. Fee. Each application for a special use permit shall be accompanied by a check, or other form of acceptable payment by the City of Watertown in the amount set forth by the City Council in Chapter A320 of the City Code. This fee is nonrefundable.

and,

BE IT FURTHER ORDAINED that Chapter A320 of the City Code of the City of Watertown is amended to **add** the following:

ARTICLE IX
Engineering Fees

§ A320-10. Schedule of Fees.

Engineering fees shall be as follows:

A.

- (1) Special use permit: \$150.
- (2) Site plan review: \$125. Applications that require additional resources and extensive review time will be charged additional fees not to exceed \$500.
- (3) Site plan waiver: \$125.
- (4) Variance of use or area: \$200.
- (5) Zone change: \$150.
- (6) Engineering plan re-submittal: \$75.
- (7) Subdivision permit: \$150.
- (8) Septic tank permit: \$75.
- (9) Disconnection and plugging of unused and/or abandoned lateral sewers: \$75.
- (10) Curb cut: \$75.
- (11) Pavement cut: Up to three (3) square yards: \$75. Each additional square yard thereafter: \$20.
- (12) Specialty pavement cut: \$150 plus actual cost of repair and replacement.

B. Sewer permits - City resident:

Residential sanitary and storm sewer connections: \$75 permit fee and \$50 connection fee.

Commercial sanitary and storm sewer connections: \$200 permit fee and \$50 connection fee.

Industrial sanitary and storm sewer connections: \$200 permit fee and \$50 connection fee.

Repair or renewal of an existing and active sewer connection: \$100 permit fee plus actual cost of installation.

C. Sewer permits – Non-city resident:

Residential sanitary and storm sewer connections: \$150 permit fee and \$50 connection fee.

Commercial sanitary and storm sewer connections: \$400 permit fee and \$50 connection fee.

Industrial sanitary and storm sewer connections: \$400 permit fee and \$50 connection fee.

and,

BE IT FURTHER ORDAINED that Chapter A320 of the City Code of the City of Watertown is amended to **delete** the following:

§ A320-6. Schedule of fees.

A. Fees for various business permits and licenses are set forth below:

Type	Fee
Curb cuts, each	\$15.00
Pavement cuts	
Up to 3 square yards	\$50.00
Each additional square yard, per square yard	\$20.00

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 COUNCIL MEMBER JOSEPH M. BUTLER, JR.

Mayor Graham commented that the problem with raising the fees too much is that it denies citizens the rights to due process. He stated that if we have an engineering and planning department, then it is their job.

Mr. Hauk explained that most of these fees go back to what was discussed at the work session. These fees help to recoup staff time for reviewing of the plan and issuing a permit.

Regarding sewer permits, Council Member Clough asked if the residents weren't paying for this when they pay their taxes. He asked if this was mostly for new construction.

Mr. Hauk explained that it is for reconnect, new or upgrades.

Council Member Clough responded that he wants the in-city residential left as it is.

Council Member Smith concurred.

Council Member Clough asked about disconnect & plug.

Mr. Hauk explained that this usually done for demolitions. It can also be done for expanding new service and closing out the old one.

Discussion was held concerning the planning fees. After much discussion on the amount of staff time allocated to these reviews, Council asked that the site plan review, waiver and re-submittal be placed at \$50. They asked that the subdivision permit be set at \$150.

Discussion was held on the portion concerning curb cuts. Council requested that the curb cuts and pavement cuts remain the same as now. They asked that specialty pavement/paver cuts be set at \$150 or actual cost.

Council Member Smith commented that he thought the City required the utilities to put it back as they found it.

Mr. Hauk stated that this is true. However, there are instances when City staff goes out 3-5 times until the utilities do it correctly.

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

BE IT ENACTED by the City Council of the City of Watertown as follows:

§ 253-7. Permit fees; classes of building sewer permits.

Each application for a permit shall be accompanied by a check, or other form of acceptable payment by the City of Watertown in the amount set forth by the City Council in Chapter A320 of the City Code. This fee is nonrefundable.

and,

BE IT FURTHER ENACTED that this Local Law shall take effect immediately upon its being filed in the Office of the Secretary of State.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

BE IT ENACTED by the City Council of the City of Watertown as follows:

§ 310-55. Approval required; waiver.

E. Fee. Each application for a site plan to be waived shall be accompanied by a check, or other form of acceptable payment by the City of Watertown in the

amount set forth by the City Council in Chapter A320 of the City Code. This fee is nonrefundable.

and,

BE IT FURTHER ENACTED that this Local Law shall take effect immediately upon its being filed in the Office of the Secretary of State.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

BE IT ENACTED by the City Council of the City of Watertown as follows:

§ 310-56. Submission of site plan and supporting data.

B. Procedures.

(c) Each petition must be accompanied by a check, or other form of acceptable payment by the City of Watertown in the amount set forth by the City Council in Chapter A320 of the City Code. Fees included are for site plan approval, change of zone and for a variance of use or area. These fees are not refundable and are to cover the costs of advertising, stenographic fees, transcripts and other administrative handlings.

and,

BE IT FURTHER ENACTED that this Local Law shall take effect immediately upon its being filed in the Office of the Secretary of State.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

BE IT ENACTED by the City Council of the City of Watertown as follows:

§ 310-62. Changes of zone; variances.

D. Each petition must be accompanied by a check, or other form of acceptable payment by the City of Watertown in the amount set forth by the City Council in Chapter A320 of the City Code for a change of zone and for a variance of use. Such fees shall be payable to the general fund of the City of Watertown and shall not be refunded under any circumstances.

and,

BE IT FURTHER ENACTED that this Local Law shall take effect immediately upon its being filed in the Office of the Secretary of State.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

MOTION WAS MADE BY COUNCIL MEMBER SMITH TO SCHEDULE PUBLIC HEARINGS ON THE FOREGOING ORDINANCE No. 6 of May 11, 2009, AND LOCAL LAWS No. 2, 3, 4 and 5 of 2009 FOR MONDAY, JUNE 15, 2009 AT 7:30 P.M.

MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

**** ** ***

INTRODUCED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

BE IT ORDAINED that Chapter 161 of the City Code of the City of Watertown is **amended** as follows:

§ 161-22. City disposal bags; definitions, requirements; fees; penalties for offenses.

BULK ITEM PICK-UP – A special bulk-item pick-up program offered to residents of the City of Watertown who choose to have various large items and appliances removed from their property. Each request for pick-up shall be accompanied by a check, or other form of acceptable payment by the City of Watertown in the amount set forth by the City Council in Chapter A320 of the City Code. This fee is nonrefundable.

and,

BE IT FURTHER ORDAINED that Chapter 265 of the City Code of the City of Watertown is **amended** as follows:

§ 265-11.2. Use of City snow-dumping facility.

- A. No person shall use the City snow-dumping facility without a duly authorized permit issued by the City of Watertown's Department of Public Works. Each application for a permit, if required, shall be accompanied by a check, or other form of acceptable payment by the City of Watertown in the amount set forth by the City Council in Chapter A320 of the City Code. This fee is nonrefundable.

and,

BE IT FURTHER ORDAINED that Chapter A320 of the City Code of the City of Watertown is amended as follows:

§ A320-6. Schedule of fees.

- B. Fees for various business permits and licenses are set forth below:

Type	Fee
Garbage collector, private per year	\$100 plus \$30 per vehicle

Bulk item pick-up	\$25 delivery charge plus additional trash stickers per item as directed by Public Works
Snow dump permit	\$500
Block party permit	\$50

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 COUNCIL MEMBER JEFFREY M. SMITH

Council Member Butler asked about the bulk item pick-up.

Mr. Hayes explained that that the City just used the stickers last year. This year a \$25 fee is proposed in addition to the stickers.

Council concurred that the \$25 fee should be removed.

Mayor Graham asked if the proposed \$500 snow dump permit had been discussed with the contractors.

Mr. Hayes explained that this is the cost of operation for snow dumping

Council concurred to remove the parade permit and the block party fee.

Discussion was held relative to the proposed barricade fee. Council concurred to remove this fee as well as the sewer inspection fee.

INTRODUCED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

BE IT ENACTED by the City Council of the City of Watertown as follows:

§ 161-12. License required for private transportation or collection of refuse.

- H. Each application for a permit, if required, shall be accompanied by a check, or other form of acceptable payment by the City of Watertown in the amount set forth by the City Council in Chapter A320 of the City Code. This fee is nonrefundable.

and,

BE IT FURTHER ENACTED that this Local Law shall take effect immediately upon its being filed in the Office of the Secretary of State.

SECONDED BY COUNCIL MEMBER JEFFREY M .SMITH

INTRODUCED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

BE IT ORDAINED that Chapter 301 of the City Code of the City of Watertown is amended to **add** the following:

§ 301-3. Permits required.

No water service shall be laid, enlarged, repaired or discontinued without the authority from the Department. Applications for permits shall be made on forms furnished by the Department.

- A. There will be a \$25.00 permit fee for maintenance, repairs, or renewal of an existing water service line. If employees of the Department perform the work, the permit fee will be added to the labor and material invoice. If a private plumber or contractor does the work, a permit **MUST** be obtained from the Department and the permit fee must be paid prior to commencement of the work, unless the work is of an emergency nature, in which case the Department **MUST** be notified and the work authorized in advance.

and,

BE IT FURTHER ORDAINED that Chapter 301 of the City Code of the City of Watertown is **amended** as follows:

§ 301-26. Hydrants and gate valves.

Hydrants or gate valves, either in the street, or on public or private property, shall not be opened, closed, or interfered with in any way by unauthorized persons, nor shall they be obstructed or purposely damaged in any manner. Hydrants may be used to supply water in connection with the construction or repair of local or municipal improvements.

Permits for such use shall be procured from the Department.

Other than for fires and emergency use, water from hydrants shall be taken only through an approved device, preferably a hydrant meter with an appropriate backflow prevention device and supplementary operating valve attached. The approved device shall be attached and removed, and the main hydrant valve will be operated in such cases only by an employee of the Department or a person who has been specifically authorized by the Department to do so. Charges for water used in this manner will be made at the “Bulk Rate” amounts set forth in § 301-28. – Bulk water charges.

In addition to the charges for water consumption, the user shall pay the cost of setting and removing the hydrant meter or device at “actual cost” to the Department, including, but not limited to, all reasonable costs of labor, equipment and materials used to perform the

service. The user shall also be responsible for the protection of the hydrant, meter, and all other equipment, and shall pay for any and all repairs or replacement costs resulting from failure to properly protect this equipment.

and,

BE IT FURTHER ORDAINED that Chapter 301 of the City Code of the City of Watertown is amended to **add** the following:

§ 301-28. – Bulk water charges.

The charges for water obtained from the bulk fill station at the Water Treatment Plant, 1707 Huntington Street, or through fire hydrants, if proper permits have been obtained and authorization has been given by the Department for such use, or from any other authorized source within the City shall be as follows:

0 to 1,000 gallons \$ 6.50

\$.65 for each additional 100 gallons or fractional portion, thereof.

There shall be a minimum charge of \$6.50 plus a \$2.50 service and processing fee for each bill sent to a consumer or user of bulk water. Bills shall normally be sent once per month for each month in which water is obtained. Payment is due within 30 days from the date of the invoice. Failure to pay the outstanding balance within 30 days will result in termination of service. There shall be a \$10.00 fee to reinstate the bulk fill station account after the outstanding balance has been paid in full.

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 COUNCIL MEMBER JEFFREY M. SMITH

Referring to the proposed fee schedule that accompanied the report, Council agreed to the \$50.00 proposed fee for water service restoration as well as the proposed fees for the sections pertaining to Main-to-Curb Stop and Fire Services and Main-to-Curb Stop and Fire Services-Tapping Fee. The connection fee-inside users was removed from consideration.

INTRODUCED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

BE IT ENACTED by the City Council of the City of Watertown as follows:

§ 301-4. Costs of main-to-curb stop and fire services.

A. The consumer shall pay the following charges for the installation or renewal of

main-to-curb stop service or fire service:

Size of Service Pipe (inches)	Charge
¾	\$1,000
1	\$1,100
1 ½	\$1,500
2	\$2,000
Larger than 2	Actual Cost

- B. A tapping charge will be added to the above charges for main-to-curb stop service or fire service, whenever a new tap is required. The consumer shall pay the following tapping charges, when required:

Size of Service Pipe (inches)	Charge
¾	\$75
1	\$100
1 ½	\$150
2	\$200
Larger than 2	\$100 per inch of tap size

When employees of the Department perform this service for a contractor or developer, the contractor or developer shall be charged \$100.00 per inch of tap, PLUS actual costs for labor, equipment, and materials provided in the performance of this service.

- C. The term “actual cost”, as used in this section, shall mean all reasonable costs associated with the installation or renewal of the main-to-curb-stop service or fire service, or the tapping of a water main, including, but not limited to labor, materials, equipment, road repairs, and curbing repairs.

BE IT FURTHER ENACTED that this Local Law shall take effect immediately upon its being filed in the Office of the Secretary of State.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH

INTRODUCED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

BE IT ENACTED by the City Council of the City of Watertown as follows:

§ 301-21. Nonpayment of Charges.

In the event that any consumer fails to pay for water furnished to his account within 30 days following the issuance of a bill therefore by the Water Department, the Water Department may cease and refuse to serve such delinquent consumer with water or water service, and the amount due for water or water service shall be added to the tax roll as due by said consumer, or the city may sue for such amount and take judgment therefore on behalf of the city and issue execution thereon. If the water service is shut off hereunder but the amount due on any unpaid bill is paid prior to the taking of judgment as aforesaid, then water will be restored only upon payment of all costs actually incurred by the city for the collection of such unpaid bill, together with an added charge of \$50.00 for restoring water service. In terminating water services to a delinquent consumer, the city shall follow the notice procedures contained at § 89-b of the New York Public Service Law, as amended.

BE IT FURTHER ENACTED that this Local Law shall take effect immediately upon its being filed in the Office of the Secretary of State.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH

MOTION WAS MADE BY COUNCIL MEMBER SMITH TO SCHEDULE PUBLIC HEARINGS ON ORDINANCE No. 8 and Local Laws No. 6, 7 and 8 FOR MONDAY JUNE 1, 2009 AT 7:30 P.M.

MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

** ** *

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 8:45 P.M. BY MOTION OF COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton
City Clerk

