

**CITY COUNCIL MEETING
CITY OF WATERTOWN
May 18, 2009
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: **COUNCIL MEMBER ROXANNE M. BURNS
COUNCIL MEMBER JOSEPH M. BUTLER, JR.
COUNCIL MEMBER PETER L. CLOUGH
COUNCIL MEMBER JEFFREY M. SMITH
MAYOR GRAHAM**

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

The City Manager presented the following reports to Council:

- 1 – Approving the “Parking Lot Design and Related Site Plan Review Considerations” workshop on May 26, 2009 as Valid Training for Meeting the New York State municipal Planning and Zoning Officials Training Requirement.
- 2 – Approving Salary Structure Modification, Watertown Housing Authority Employees.
- 3 – Authorizing an Application to the Green Innovation Grant Program for a Hydroelectric Plant Intake Rake and Determining that the Proposed Project is a Type II Action Pursuant to SEQRA.
- 4 – Authorizing an Application to the Green Innovation Grant Program for WTP and WWTP Upgrades and Determining that the Proposed Project is a Type II Action Pursuant to SEQRA.
- 5 – Approving the Special Use Permit Request Submitted by Thomas Gee, of West Main Auto to Allow an Auto Dealership and Repair Garage located at 742 West Main Street, Parcel No. 01-15-212.000.
- 6 – Amending the Code of the City of Watertown Chapter 310 Pertaining to Fees for Various Applications.
- 7 – Amending City Municipal Code § A320 Fees.
- 8 – Approving the Zone Change Request Submitted by Thomas Gee of West Main Auto, to change the approved zoning classification of the rear portion of 742 West Main Street, Parcel No. 01-15-212.000, from Residence B to Neighborhood Business.
- 9 – Approving the Zone Change Request Submitted by Julian Clark of Plumley Engineering, on behalf of Russell & Dawson, Architecture and Engineering, to change the approved zoning classification of VL-2 Gaffney Drive, Parcel No. 08-40-101.007, from Planned Development District #2 to a Commercial Zoning District.
- 10 – Approving the Zone Change Request Submitted by Tim Titus, of Aubertine and Currier, on behalf of Margaret Palmer, of Hospice of Jefferson County, to change the approved zoning classification of 1398 Gotham St., Parcel No. 13-18-103.200, from Residence A to Planned Development District #24.
- 11- 7:30 p.m.– Public Hearings for 2009-10 Operating Budgets and 2009-10 through 2013-14 Capital Budget.
- 12 -The following Ordinances and Local Laws, with new cover reports, were laid over under the rules at the City Council Meeting of May 11, 2009:

Ordinance No. 1 – Amending City of Watertown City Code Chapter 148 as it relates to Fire Department Fees

Ordinance No. 2 – Amending City of Watertown City Code Chapter 320 as it relates to Citibus Fees

Ordinance No. 3 - Amending City of Watertown City Code Chapter 320 as it relates to City Clerk Fees

Ordinance No. 4 - Amending City of Watertown City Code Chapter 320 as it relates to Park & Recreation Fees

Ordinance No.5 - Amending City of Watertown City Code Chapter 320 as it relates to City Comptroller’s Office Fees

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Ordinance No.6 - Amending City of Watertown City Code Chapter 310 and 320 as it relates to Engineering Fees

Local Law No. 2 of 2009 - Amending Section 253-7 of the City of Watertown City Code Chapter as it relates to Engineering Fees

Local Law No. 3 of 2009 - Amending Section 310-55 of the City of Watertown City Code it relates to Engineering Fees

Local Law No. 4 of 2009 - Amending Section 310-56 of the City of Watertown City Code it relates to Engineering Fees

Local Law No. 5 of 2009 - Amending Section 310-62 of the City of Watertown City Code it relates to Engineering Fees

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Ordinance No.7 - Amending City of Watertown City Code Chapters 161, 265, and A320 as it relates to Public Works Fees

Local Law No. 6 of 2009 - Amending Section 161-12 of the City of Watertown City Code to provide for Change in Public Works Fees

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Ordinance No.8 - Amending City of Watertown City Code Chapter 301 as it relates to Water Fees

Local Law No. 7 of 2009 - Amending Section 301-4 of the City of Watertown City Code to provide for Change in Water Fees

Local Law No. 8 of 2009 - Amending Section 301-21 of the City of Watertown City Code to provide for Change in Water Fees

13- Sales Tax Revenue Update

14- Ice Arena Study, Prepared by Bernier Carr & Associates for the City of Watertown. (A copy is available in the City Clerk’s Office for review or on our website at www.watertown-ny.gov.)

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 May 4, 2009 and the special meeting of May 11, 2009 was dispensed with and accepted as written by motion of Council Member Clough, seconded by Council Member Butler and carried with all voting in favor thereof.

COMMUNICATIONS

The following communications were received from the City's Planning Board:

1. Recommending Council approval for the zone change request and Special Use Permit request submitted by Thomas Gee of West Main Auto to change the zoning classification for the property located 7432 W. Main, Parcel No. 01-15-212.000 from a Resident B Zoning District to Neighborhood Business District. The Special Use Permit request would allow an auto sales and repair garage at that address.
2. Recommending Council approval for the zone change request submitted on behalf of Russell & Dawson, Architecture and Engineering, to change the approved zoning classification for the property located at VL-2 Gaffney Drive, Parcel No. 08-40-101.007 from Planned Development District #2 to a Commercial Zoning District.
3. Recommending Council approval for the zone change request submitted on behalf of Margaret Palmer of Hospice of Jefferson County to change the approved zoning classification for the property located at 1398 Gotham Street, Parcel No. 13-18-103.200 from a Residence A Zoning District to Planned Development District #24.

ABOVE PLACED ON FILE

Mayor Graham interrupted the regular course of business to allow for the introduction of the City of Watertown Police Academy Graduates.

PRIVILEGE OF THE FLOOR

Wayne Zimmer, Katherine Street, addressed the chair concerning the need for handicap parking in front of the Avon Shoe Store. He suggested that there be a time limit of ½ hour to 1 hour for this. He also mentioned the need for bus service out of town and better bathroom facilities in Thompson Park.

PUBLIC HEARINGS

AT 7:30 MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING THE PROPOSED OPERATING BUDGET FOR 2009-10.

MAYOR GRAHAM DECLARED THE HEARING OPEN.

Wayne Zimmer, Katherine Street, addressed the chair concerning the need to raise fees for City trash collections instead of raising the bus fees.

MAYOR GRAHAM DECLARED THE HEARING CLOSED AT 7:34 P.M.

AT 7:30 MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING THE PROPOSED CAPITAL BUDGET FOR 2009-10 THROUGH 2013-14.

MAYOR GRAHAM DECLARED THE HEARING OPEN.

No one spoke.

MAYOR GRAHAM DECLARED THE HEARING CLOSED.

RESOLUTIONS

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS the New York State Chapter 662 of the Laws of 2006, which took effect on January 1, 2007 requires all municipal planning and zoning officials to have four hours of training per year, and

WHEREAS the training must be approved by the City Council before it can be used to meet the new training requirement, and

WHEREAS the Jefferson County Department of Planning, the NYS Tug Hill Commission, and the Center for Community Studies at JCC are co-sponsoring a training session called "Parking Lot Design and Related Site Plan Review Considerations" for local planning officials on May 27, 2009 from 6:30 p.m. to 8:30 p.m. at Jefferson Community College,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that the "Parking Lot Design and Related Site Plan Review Considerations" workshop is approved to provide two hours of training toward meeting the New York State Municipal Planning and Zoning Officials training requirement.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS on January 5, 2009, the City Council of the City of Watertown approved the salary schedule for Watertown Housing Authority employees, and

WHEREAS the Watertown Housing Authority has changed one of their positions, which requires the establishment of a new position and salary, and

WHEREAS the Watertown Housing Authority compared this new position with the City of Watertown position with the same title and it is the desire of the Watertown Housing

Authority Board to establish the 2009 salary for the position of Senior Account Clerk, as described on the attached document, and

WHEREAS the Board of Commissioners adopted a resolution on April 21, 2009, approving this amendment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the 2009 salary structure modification for the position of Senior Account Clerk for the Watertown Housing Authority, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, is hereby authorized and directed to forward certified copies of the resolution to the Watertown Housing Authority.

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

Prior to the vote on the foregoing resolution, Mrs. Corriveau answered questions posed by Council Member Butler relative to this.

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS funds are available from the New York State Environmental Facilities Corporation through the Green Innovation Grant Program for efficiency and environmental projects, and

WHEREAS an intake rake at the City's hydroelectric plant would increase the electrical output of the plant, and

WHEREAS the City Council must review every project in light of the State Environmental Review Act (SEQRA) and its regulations, and

WHEREAS the proposed hydroelectric plant intake rake project is an expansion of a nonresidential structure involving less than 4000 square feet of gross floor area and purchase of equipment, so it can be considered a Type II Action which requires no further environmental review,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that the proposed hydroelectric plant intake rake project is declared to be a Type II Action pursuant to the New York State Environmental Quality Review Act, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to submit an application for the hydroelectric plant intake rake to the Green Innovation Grant Program and to execute any and all documents related to the application.

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

Prior to the vote on the foregoing resolution and the following resolution, Council Member Smith asked about receiving a full copy of the report.

Mrs. Corriveau will make sure that a full copy is sent out to Council.

Council Member Butler asked what the anticipated start date would be.

Mrs. Corriveau explained that they would like to do the work at the hydroplant as soon as they can.

Mr. Hauk advised that the grants are due May 29th and awarded in June. The rake would be up for bid after the July 1st start of the budget. Regarding the following resolution, Mr. Hauk explained that this would be bid over the winter for a late winter or early spring start. He explained that the document had to be executed by January 10, 2010.

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS funds are available from the New York State Environmental Facilities Corporation through the Green Innovation Grant Program for efficiency and environmental projects, and

WHEREAS energy efficiency upgrades at the Water Treatment Plant and Waste Water Treatment Plant will decrease energy use, and

WHEREAS the City Council must review every project in light of the State Environmental Review Act (SEQRA) and its regulations, and

WHEREAS the proposed plant upgrade project is maintenance and repair of existing facilities, so it can be considered a Type II Action which requires no further environmental review,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that the proposed Water Treatment Plant and Waste Water Treatment Plant upgrade project is declared to be a Type II Action pursuant to the New York State Environmental Quality Review Act, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to submit an application for Water Treatment Plant and Waste Water Treatment Plant upgrades to the Green Innovation Grant Program and to execute any and all documents related to the application.

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

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS Thomas Gee has made application for a Special Use Permit to allow an Auto Dealership and Repair Garage located at 742 West Main Street, Parcel No. 01-15-212.000, and

WHEREAS the Planning Board of the City of Watertown reviewed the request for a Special Use Permit at its meeting held on May 5, 2009 and adopted a motion recommending that the City Council approve the request as submitted, and

WHEREAS the Jefferson County Planning Board reviewed the request on May 26, 2009, pursuant to General Municipal Law Section 239-m, and

WHEREAS a public hearing was held on the proposed Special Use Permit on June 1, 2009, after due public notice, and

WHEREAS the City Council has determined that the project is an Unlisted Action under SEQRA and has reviewed the Short Environmental Assessment Form, including responding to the questions in Part 2,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed Auto Dealership and Repair Garage located at 742 West Main Street is an Unlisted Action pursuant to SEQRA and that the use will not have a negative environmental impact, and

BE IT FURTHER RESOLVED by the City Council that a Special Use Permit is hereby granted to Thomas Gee for an Auto Dealership and Repair Garage located at 742 West Main Street, Parcel No. 01-15-212.000 contingent upon the following conditions:

- 1) That the hours of operation for the business be limited to 8:00 a.m. to 9:00 p.m.
- 2) That the 11,340 square feet of existing pervious surface and green space located at the rear of the property remains as such.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER

Commenting on the foregoing resolution, Council Member Smith asked if the property was owned by Mr. Granger or by Mr. Castro.

Attorney Slye remarked that Planning had a letter from Mr. Granger stating that he owned the property.

Mr. Mix advised that Mr. Granger claims to be the owner and Mr. Castro is dead. He indicated that Mr. Granger didn't file the deed with the County Clerk's Office yet.

Council Member Smith and Mayor Graham explained that they didn't want this coming before Council if ownership isn't determined.

Attorney Slye advised that the City can ask Mr. Granger for the deed.

Council Member Burns asked if Council action on this resolution could be contingent upon Mr. Granger filing the deed.

Attorney Slye remarked that it sounded reasonable as a requirement of the special use permit.

Mayor Graham asked city staff to look into this.

Mr. Gee arrived after the discussion on the foregoing resolution. He told Council that Mr. Granger does have the deed and will file it with the County Clerk in the next few days.

Attorney Slye asked that a copy of this deed be given to Mr. Mix.

MOTION WAS MADE BY COUNCIL MEMBER CLOUGH TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING RESOLUTION FOR MONDAY, JUNE 1, 2009 AT 7:30 P.M.

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

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS the City has encountered a major break in a 48" sewer truck line on Mill Street, in the City of Watertown, and

WHEREAS the sewer main break has resulted in the degradation of the storm and combined sewer flows in this area, and

WHEREAS the City of Watertown, by its City Council, has determined that the continuing failure of the sewer main in the Mill Street area has created an emergency situation requiring immediate corrective work such that the City may proceed to issue a scope of services and then award a contract for necessary repairs without the public bidding requirements contained at Section 103 of the New York General Municipal Law, and

WHEREAS the City Engineer, in coordination with the Superintendent of Public Works, is developing a Scope of Services for the work needed to be completed, and will forward said Scope of Services to prospective bidders,

NOW THEREFORE BE IT RESOLVED that based on the nature of the failure in the sewer main, an emergency situation affecting the health, safety and welfare of the citizens has been created, and

BE IT FURTHER RESOLVED that the City Engineer, in coordination with the Superintendent of Public Works, is authorized to issue a Scope of Services under the emergency provisions of Section 103 of the New York State General Municipal Law for the necessary repairs to the sewer main on Mill Street.

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

RULES WAIVED BY MOTION OF COUNCIL MEMBER BURNS, SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Commenting on the foregoing resolution, Council Member Clough asked if the City could go after National Grid for the repair costs.

Attorney Slye advised that he wasn't familiar enough with the situation to give an opinion at this time.

Mrs. Corriveau explained that the City needs to get it fixed and the first step was getting the obstruction out.

Mr. Hayes commented that while we could perhaps look to National Grid as there was a weakness there, we also have to look at the City's infrastructure as well.

Council Member Burns asked if the downpour this past Saturday was as significant as before.

Mr. Hayes explained that this Saturday was only 2.9" per hour as opposed to the 19.2" that was received the week before.

ORDINANCES

Prior to discussion of the following ordinance, Council Member Smith withdrew his introduction to Ordinance No. 6 of May 11, 2009 and Local Laws No. 2, 3, 4 and 5.

Council Member Butler withdrew his second.

MOTION WAS MADE BY COUNCIL MEMBER BUTLER TO CANCEL THE PUBLIC HEARINGS ON ORDINANCE NO 6 OF MAY 11, 2009 AND LOCAL LAWS NO. 2, 3, 4 AND 5. MOTION WAS SECONDED BY COUNCIL MEMBER CLOUGH AND CARRIED WITH ALL VOTING IN FAVOR THERE.

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

BE IT ORDAINED where Sections 310-55, 310-56, 310-62 and 310-67 of the Code of the City of Watertown, New York pertain to certain application processes and the fees associated with them, and

WHEREAS the City Council of the City of Watertown believes that it is in the best interest of the citizens of the City of Watertown to list all City fees in Chapter A320 of the Code, and

WHEREAS said sections of Chapter 310 must be amended to delete the fees and make reference to Chapter A320, and

WHEREAS the City Planning Board reviewed the proposed amendments to Chapter 310 of the Code of the City of Watertown and has made a recommendation, and

WHEREAS the Jefferson County Planning Board has reviewed the proposed amendment, pursuant to General Municipal Law Section 239, and

WHEREAS a public hearing was held on the proposed zoning ordinance amendment on Monday, June 15, 2009, after due public notice, and

WHEREAS the City Council has determined that the proposed zoning amendment will not have a significant negative environmental impact pursuant to the State Environmental Quality Review Act,

NOW THEREFORE BE IT ORDAINED that Section 310-55 of the City Code of the City of Watertown is amended by adding the following:

§ 310-55. Approval required; waiver.

E. Fee. Each application for a site plan approval waiver 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 Section 310-56 B (c) of the City Code of the City of Watertown is amended to read as follows:

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

B. Procedures.

(c) Each application for site plan approval 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 Section 310-62 D of the City Code of the City of Watertown is amended to read as follows:

§ 310-62. Changes of zone; variances.

- D. Each petition zone change or variance 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. These fees are nonrefundable.

And,

BE IT FURTHER ORDAINED that Section 310-67 G of the City Code of the City of Watertown is amended to read 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 this Amendment to the City Code shall take effect as soon as it is published once in the official newspaper of the City of Watertown, New York, or printed as the City Manager directs.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH

MOTION WAS MADE BY COUNCIL MEMBER CLOUGH TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING ORDINANCE FOR MONDAY, JUNE 15, 2009 AT 7:30 P.M.

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

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:

§ A320-1.1. Birth, death and marriage certificates.

The City Clerk shall charge and receive from the applicant a fee of \$10 for each certified copy of the record of any birth, death or marriage issued by such Clerk. Fees for genealogical searches shall be \$15. No fee shall be charged for a certification or certified copy of any such record to be used for school entrance, for employment certificate, for purposes of public relief or for admission to the Armed Forces of the United States or when the same is requested by the United States Census Bureau for use as statistical data or when requested by any federal, state or municipal department or agency for its official purpose.

and,

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

ARTICLE IV
Police Escorts

§ A320-5. Schedule of fees.

The fee for escort services for banks and stores shall be \$10 for each escort

and,

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

ARTICLE V
Miscellaneous Fees

§ A320-6. Schedule of fees.

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

Type	Fee
Accident photo enlargements	
4 x 5 photo	\$5.00 per photo
8 x 10 photo	\$10.00 per photo
Contact sheets	\$5.00 per sheet
Airport landings All transient aircraft over 6,000 pounds	\$7.75 per landing
All aircraft capable of carrying over 30 people	\$30.00 per landing
Auctioneer	
Per day or any part thereof where sale	none

does not exceed 2 days	
More than 2 days but not to exceed 15 days	none
Bowling alley, per year	
First unit	none
Each additional unit	none
Circus, per day	none
Concessions at circuses, carnivals, sporting Events and other temporary shows and Exhibits, per concession	\$5.00
Dance (by civic, fraternal or charitable Organization), per night	none
Dray, per vehicle, per year	none
Meat, retail, per year	none
Meat, wholesale, per year	none
Milk, retail delivery, per year	none
Milk, retail store, per year	none
Motion-picture operator	
Original	none
Renewal, per year	none
Passport photos	\$15.00 per photo
Pawnbroker, per year	none
Photographs, taxi license	\$6.00
Poolroom, per year	none
Public eating or drinking places	
1 to 50 persons	\$25.00
51 to 100 persons	\$30.00
101 to 200 persons	\$35.00
Over 200 persons	\$40.00
Scale, coin-operated, per year	none
Selling patent medicines, per day	none

Selling sample merchandise, per day	none
Shuffleboard, per year	none
Sideshow, per year	none
Theaters, per year	
1 to 500 persons	\$50.00
501 to 1,000 persons	\$75.00
Over 1,000 persons	\$100.00
Tourist camp, per year	none
Video-type games arcade (fee to be in addition to the amusement device fees)	none

and,

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

ARTICLE VII
Assessment Department Fees

§ A320-8. Schedule of fees.

Department fees are as set forth below:

Type	Fee
Property Record Card	\$1.00
RP/Access residential data sheet	\$0.50
Residential comparable sheet	\$5.00
RP/Access commercial data sheet	\$1.00
Miscellaneous statistical report	\$1.00

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 PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA

UNANIMOUS CONSENT MOVED BY COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THERE.

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

BE IT ORDAINED where Thomas Gee of West Main Auto, has made application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning classification of the rear portion of Parcel Number: 01-15-212.000 located at 742 West Main Street, from Residence B to Neighborhood Business.

WHEREAS the rear portion of Parcel Number 01-15-212.000, is more specifically described as the area of the parcel between a line running parallel to the front property line and approximately 80' north easterly of said front property line, and the rear property line, intending to describe all the area that is currently zoned Residence B, and

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its meeting held on May 5, 2009, and adopted a motion recommending that the City Council approve it as requested, and

WHEREAS the Jefferson County Planning Board reviewed the request on May 26, 2009, pursuant to General Municipal Law Section 239-m, and

WHEREAS a public hearing was held on the proposed zone change on June 1, 2009, after due public notice, and

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

NOW THEREFORE BE IT ORDAINED that the zoning classification shall be changed for the rear portion as described above of Parcel Number: 01-15-212.000 located at 742 West Main Street, from Residence B to Neighborhood Business, and

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

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

SECONDED BY COUNCIL MEMBER PETER L. CLOUGH

MOTION WAS MADE BY COUNCIL MEMBER BURNS TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING ORDINANCE FOR MONDAY, JUNE 1, 2009 AT 7:30 P.M.

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

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

BE IT ORDAINED where Julian Clark of Plumley Engineering, on behalf of Russell & Dawson, Architecture and Engineering, has made application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning classification of Parcel Number: 08-40-101.007 located at VL-2 Gaffney Drive, from Planned Development District #2 to a Commercial Zoning District.

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its meeting held on May 5, 2009, and adopted a motion recommending that the City Council approve it as requested, and

WHEREAS a public hearing was held on the proposed zone change on June 1, 2009, after due public notice, and

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

NOW THEREFORE BE IT ORDAINED that the zoning classification shall be changed for Parcel Number: 08-40-101.007 located at VL-2 Gaffney Drive, from Planned Development District #2 to a Commercial Zoning District, and

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

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

SECONDED BY COUNCIL MEMBER PETER L. CLOUGH

MOTION WAS MADE BY COUNCIL MEMBER SMITH TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING ORDINANCE 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.

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

BE IT ORDAINED where Tim Titus, of Aubertine and Currier, on behalf of Margaret Palmer, of Hospice of Jefferson County has made application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning

classification of Parcel Number: 18-103.200 located at 1398 Gotham Street, from a Residence A Zoning District to Planned Development District #24.

WHEREAS the applicant submitted a preliminary site plan, as required for Planned Development Districts, showing a Hospice Residential Center and Administrative offices, and

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its meeting held on May 5, 2009, and adopted a motion recommending that the City Council approve it with modifications to the preliminary site plan including:

- 1.) Apply or incorporate the existing stone wall into the site plan; and
- 2.) Landscaping must meet or exceed the City's Landscaping and Buffer Zone Guidelines to minimize impact on the adjacent properties.

and,

WHEREAS the County Planning Board of Jefferson County reviewed the request at its April 28, 2009 meeting pursuant to General Municipal Law Section 239 and adopted a motion that the project does not have any significant County-wide or intermunicipal issues and is of local concern only, and

WHEREAS a public hearing was held on the proposed zone change on June 1, 2009, after due public notice, and

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

NOW THEREFORE BE IT ORDAINED that the zoning classification shall be changed for Parcel Number: 18-103.200 located at 1398 Gotham Street, from a Residence A Zoning District to Planned Development District #24, and

BE IT FURTHER ORDAINED that the development allowed in Planned Development District #24 will be based on the preliminary site plan submitted to the Engineering Department on April 14, 2009 with the modifications listed above, and the allowed uses are a Hospice Residential Center, administrative offices, and customary accessory uses, such as a maintenance garage, and

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

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

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER

MOTION WAS MADE BY COUNCIL MEMBER CLOUGH TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING ORDINANCE FOR MONDAY, JUNE 1, 2009 AT 7:30 P.M.

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

THE ORDINANCE AMENDING THE CITY OF WATERTOWN CITY CODE CHAPTER 148 AS IT RELATES TO FIRE DEPARTMENT FEES WAS LEFT ON THE TABLE.

**** ** ***

OLD BUSINESS

THE FOLLOWING ORDINANCES WERE LAID OVER UNDER THE RULES AT THE MAY 11, 2009 MEETING. THE ORDINANCES WERE PRESENTED THIS EVENING AND AMENDED AS INDICATED BY ASTERISKS:

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

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

and,

BE IT FURTHER ORDAINED that this amendment shall take effect ***on July 1, 2009** or 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.

MOTION TO AMEND MADE BY COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

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

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: ***\$1.50**
- ~~(2) One-way elderly and handicapped bus fare: \$.75.~~
- (2) One-way regular bus fare transfer: no charge.
- (3) Regular econo booklet, ***10 one-way fares: \$10;** 20 one-way fares: \$20.
- ~~(4) Elderly and handicapped econo booklet, 20 one-way fares: \$15.~~
- (4) One-way ADA paratransit bus fare: **\$3.00**
- (5) Children's fare: \$0.50 for ages 6-12.
- ~~(6) One-way student fare: \$1.~~

and,

BE IT FURTHER ORDAINED that this amendment shall take effect ***July 1, 2009** or 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.

MOTION TO AMEND THE FEES AND EFFECTIVE DATE MADE BY COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCIL MEMBER BUTLER VOTING NAY

Prior to the vote on the foregoing ordinance and the amendment, Mayor Graham commented that he is surprised with the lack of discourse on this topic.

Ms. Webster advised Council that some of the riders say that while they appreciate the buses, they don't know if they can keep riding them with a \$2.00 fee. They are on a fixed income which will not be increased. She remarked that while she knows that the City needs revenues, she feels bad that these fees will be taking it out of the riders' pockets. She also commented that the \$2.00 fee would be the same as NYC and Yonkers. Syracuse just raised the fee to \$1.25

Mayor Graham questioned the need for all the different carve outs for students, handicapped and seniors. He explained that he had only one phone call about this. He asked Ms. Webster if she is finding that people are aware of it.

Ms. Webster commented that people are distressed and many are working a second job. They

probably don't have time to come to the Council meeting.

Council Member Smith asked about the private cab fees.

Ms. Webster advised that a cab fee from the 1100 block of State Street to Mercy would be around \$6.00. However, that is a private business rather than public transportation.

Council Member Smith remarked that soda is now \$1.50 and food and gas have gone up. He commented that Citibus is still subsidized and remarked that he hadn't heard any outcry either.

Council Member Burns remarked that she had received one call. She asked Ms. Webster if the riders understand that this is not something that the City randomly wanted to do but that the fuel costs and maintenance of vehicles keeps going up.

Ms. Webster responded that passengers know that it has to go up. However, they wonder if it should go up that far.

Mrs. Corriveau referred to an article in the Syracuse Post Standard outlining bus fees. Centro in Syracuse is looking at an increase to \$1.25; Buffalo is at \$1.75; Albany and Ithaca are \$1.50; Binghamton is at \$1.25 and Rochester is at \$1.00. The increase in Onondaga County is the first in 14 years. While NYC and Yonkers is \$2.00, they are looking at a .25¢ increase in June.

Council Member Clough commented that he had received one call, but he thought that we would see more people at the meeting to talk about the fares. He suggested that part of the problem is that Council waited too long to change the rates, even though they were reviewed periodically. He suggested that a gradual increase to \$1.50 would be better.

Council Member Butler responded that he had received a handful of calls and comments from folks. He remarked that it is Council's fault for not changing the fees since 1994. He remarked that he considers this a considerable increase. He said that the one-way fare should remain at 75¢ for seniors.

After much discussion, the above amendment was offered.

Mayor Graham commented that basically the Citibus system is offering bus rides for \$1.00 when the actual cost of providing them is \$4.00.

**AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING
ORDINANCE AS AMENDED AND CARRIED WITH ALL VOTING YEA EXCEPT
COUNCIL MEMBER BUTLER VOTING NAY**

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.

A. 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~~ ***agreed upon and included in the contract.**
- (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: *\$5.00

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

G. Golf Program:

(3) City resident: *\$5.00

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

H. ~~*Pavilion Rental: \$10.~~

and,

BE IT FURTHER ORDAINED that this amendment shall take effect *on July 1, 2009 or 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

MOTION MADE BY COUNCIL MEMBER CLOUGH TO AMEND THE ORDINANCE AS INDICATED BY ASTERISKS. MOTION WAS SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING YEA.

Prior to the vote on the foregoing ordinance as amended, Council Member Smith referred to the \$70 fee for hockey, figure skating as well as high school and college practice. He commented that the increase of \$8.00 has been over a much shorter period than the bus fees. He offered the following motion to amend:

MOTION WAS MADE BY COUNCIL MEMBER SMITH TO AMEND THE ORDINANCE TO READ \$64 PER HOUR FOR MINOR HOCKEY AND FIGURE SKATING AND HIGH SCHOOL AND COLLEGE PRACTICE.

MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER AND DEFEATED WITH ALL VOTING NAY EXCEPT COUNCIL MEMBER SMITH VOTING YEA

Mayor Graham remarked that if there is such consternation among the hockey and figure skating associations why there were no responses, calls, letters or comments here this evening. He remarked that it is about a 13% increase over a 6 year period- roughly 2% a year.

Council Member Smith remarked that this is a larger percentage than the bus fares are over a shorter period of time. He remarked that we want people to come to see the area. When they rent ice time, they also shop and spend money at local businesses.

Mayor Graham remarked that the association gets money through the concession and advertising fees which the City foregoes.

Council Member Smith remarked that this isn't true as the City does make money through the rental fee for the concession. He stated that he believed it was around \$8,000 a year.

Mrs. Corriveau advised that the rental fee was \$2,500 a year.

Mayor Graham commented that he didn't look at this as attracting people from other areas. A recreation program should meet the needs of youth and adults in this community not attract people from away from the area. He remarked that while he doesn't know what the proper figure is for an increase, Council does need to be consistent and he feels that \$70 is consistent.

Council Member Butler remarked that he feels Council is tampering with supply and demand and he believes that ice time is price sensitive. He said that the fairgrounds is a regional facility and we should aspire to make it so. He suggested looking at the usage next year to see if the hours increased or decreased.

After discussion, Mr. Hayes explained to the Council that Mr. St. Croix has all the information on this. He explained that Mr. St. Croix had done his research and what he came up with was a fair and equitable figure.

Council Member Smith asked Mrs. Corriveau to invite the hockey association to come to the next meeting.

Mrs. Corriveau remarked that while she has no problem with this, she'd rather not get into contract negotiations with the Watertown Hockey Association in public session. She remarked that she believes that Mr. St. Croix could answer any questions that Council might have.

Mayor Graham commented that he is not sure that Council should be wheeling and dealing with public organizations. He also commented that the associations had every opportunity to come to every meeting.

Council Member Smith responded that they are the largest users and bring in the most money.

Mayor Graham stated that there have been absolutely no opinions expressed by the Watertown Hockey Association or any other skating group.

Mrs. Corriveau advised that she has had no contact with the association. She will be meeting with them in June for the concession agreement negotiations.

Council Member Smith suggested tabling the ordinance.

MOTION WAS MADE BY COUNCIL MEMBER SMITH TO TABLE THE FOREGOING ORDINANCE. MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING YEA

Attorney Slye wondered if the information for a vote on the ordinance was needed prior to the budget being adopted before the first meeting June.

Mayor Graham commented that the figures in budget now are consistent enough.

Mrs. Corriveau remarked that it would not just be the \$8,000, but would be \$21,000 because all of the amendments would be tabled and impacted.

Mayor Graham commented that this ordinance could be voted on this evening and then amendments in the fees could be asked for at any time in the future.

MOTION TO TAKE FROM THE TABLE WAS MADE BY COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL MEMBER BURNS AND CARRIED WITH ALL VOTING YEA

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING ORDINANCE AS ORIGINALLY AMENDED TO INCORPORATE ASTERISK CHANGES AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCIL MEMBER SMITH VOTING NAY

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

MOTION WAS MADE BY COUNCIL MEMBER SMITH TO AMEND EFFECTIVE DATE, SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING YEA

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING ORDINANCE AS AMENDED AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCIL MEMBER CLOUGH AND MAYOR GRAHAM VOTING NAY

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.

A. 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 ***July 1, 2009** or 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

MOTION WAS MADE BY COUNCIL MEMBER CLOUGH TO AMEND THE FOREGOING ORDINANCE TO DELETE ITEMS WITH ASTERISKS AND TO ADD EFFECTIVE DATE. MOTION WAS SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING YEA.

Prior to the vote on the foregoing ordinance as amended, Council Member Burns asked about the block party costs.

Mrs. Corriveau explained that the request in writing is forwarded to DEW, Police, Fire and Parks & Rec. for input. DEW drops the barricades before the party and picks them up on Monday. She also explained that they want Police and Fire to be aware of the street being blocked off.

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***on July 1, 2009** or 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

MOTION WAS MADE BY COUNCIL MEMBER CLOUGH TO AMEND THE FOREGOING ORDINANCE TO DELETE PARAGRAPH A AND TO ADD THE EFFECTIVE DATE.

MOTION WAS SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING YEA

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Sales Tax Revenue Update

Mayor Graham commented that the sales tax is performing at or slightly above the amended projections.

Mrs. Corriveau responded that while that it true, it is also true that it is down from the proposed budget. \$40,000 more had been anticipated when the proposed 2009-10 budget was put together.

Ice Arena Study

Council Member Butler remarked that he questioned the 2nd sheet of ice not being in the report. He asked about the miscommunication.

Mrs. Corriveau remarked that the draft report referred to a 3rd sheet of ice. She commented that the City didn't contract with Bernier Carr for the numbers for a 2nd sheet of ice.

Mr. Hayes said that the referral to a 3rd sheet was a clerical error and should have been 2nd sheet. He explained that the City had asked Bernier Carr for a feasibility study to see if a second sheet was warranted. He also explained that the draft report and conceptual plans and drawing for the 2nd sheet.

Mrs. Corriveau remarked that the draft report was done prior to speaking to the stake holders.

Council Member Smith asked what was changed after that.

Mr. Hayes remarked that a prioritized list was added.

Council Member Smith commented that we had spoken about solar panels for the existing building and that the reason the final report was delayed was because they were looking into that. However, there is no mention of the solar panels in the final report.

Mr. Hayes explained that they had met with Bernier Carr and their engineer commented that the cost of solar panels could probably be covered over a 20 year period. The engineer is no longer associated with the project.

Mrs. Corriveau advised that NYPA also looked at the solar panel issue when they were here.

Council Member Smith reiterated the fact that they had specifically been told that one of the delays was because of the solar panels. However, it is not even in the final report. Now, Council is being told that it was talked about but never put in the report. He questioned how the report could have been delayed when that information is not even in there.

Mr. Hayes explained that staff told them that they wanted calculations on the solar panels and Bernier Carr said it would be there. He also explained that there was an internal shuffle at Bernier Carr during this time.

Mrs. Corriveau explained that there was a change in engineers between the draft and the final report. They also met with stakeholders between the two reports. They put together figures on what needs to be done first.

Council Member Butler remarked that his concern is that he doesn't want a watered down version of the report. He commented that the preliminary drawings should have been included and he wants to see what was in the draft report about solar panels. He also commented that there was no information in the final report about a second sheet of ice and questioned about it being in the draft report.

Mrs. Corriveau remarked that there was information on the second sheet of ice in the draft report.

Mr. Hayes remarked that the draft report can be made available to Council.

Mrs. Corriveau advised that the draft document is a staff document.

Council Member Smith began discussion on the arena roof. He commented on the fact that the City had a warranty on the roof but has not gone after the company for repairs. He said that it bothers him that we spend tax payers' money when we have a warranty and should go after the company. He questioned what Mr. Hayes would do if he had a new snow plow and something went wrong with it.

Mr. Hayes responded that if it was a problem with a bumper, he would buy a new bumper, not replace the entire snow plow. He remarked that the roof failed in spots and it is probably about a 5% failure. He stated that the failure is minor and could be repaired.

Council Member Smith responded that the roof problem started in 2004 and continued to deteriorate. He stated that if we aren't going use warranties, then we shouldn't have them.

Mayor Graham remarked that people get screwed everyday on warranties. There are deductibles and exclusions for wear and tear. He remarked that it may have been a bad decision not to have the repairs done.

Council Member Smith remarked that the City went after the company when it involved a fire department vehicle.

Mrs. Corriveau commented that the fire rescue truck was an unusual situation. The City received a new truck at a much reduced rate. She assured Council that the City doesn't ignore warranties.

Parade Routes

Council Member Butler remarked that the parade went well. He asked about the status of the two or three parade routes.

Mrs. Corriveau explained that a staff committee has been formed but they haven't met yet.

Mayor Graham remarked that Council has been invited to the Dairy Parade on June 5th. However, he doesn't know what road it will be on.

Mrs. Corriveau responded that they haven't received any request yet.

Ten Eyck Street

Council Member Butler referred to the fact that the City rebuild of sidewalks was destroyed when National Grid replaced infrastructure. The quality of the work is not good. Residents were very happy with the City's previous work. He asked about the City honoring guarantees and what the recourse for the residents would be.

Mr. Hauk explained that there are four versions of sidewalks on Ten Eyck Street – original; sidewalk program of 2000-03; some done a couple of years ago to facilitate construction for the City and other sidewalks done for National Grid construction by Bat-Con. He remarked that if

there are marks on the blocks, they will be replaced. He also commented that National Grid can be notified and they will replace to the City's satisfaction. He remarked that there are different visual affects due to the fact that they were done at different times. They are not as nice looking as the ones done all at once. He suggested that the residents contact the City Engineer's Office and they will look at the blocks in question.

Council Member Butler remarked that he knew the City was on record of guaranteeing the work.

Attorney Slye remarked that the 10 year plan is a method of how people can repay the sidewalk costs. The City is not a guarantor. If Bat-Con shows that it meets City specs, it meets City specs. He advised that we don't guarantee that people will be happy with their sidewalks.

Council Member Butler also commented that there is still heavy machinery and cement barriers on the vacant lot.

Mrs. Corriveau explained that Bat-Con is back in town still doing work.

Council Member Clough remarked that he just wanted it cleaned up a little as one of the neighbors is in the process of trying to sell his house.

Tree Grates

Council Member Butler explained that the cement around the steel tree grates downtown is disintegrating.

Mr. Hauk explained that the mix failed just like it did on State Street. The project is closed out and the City will have to make the necessary repairs downtown.

Council Member Smith asked who paid for the concrete around the grates.

Mrs. Corriveau explained that staff did a walk through with NYS DOT. When the State signed off, it hadn't deteriorated.

Crystal Restaurant Sign

Council Member Smith explained that a sub contractor had knocked the wire off the Crystal sign that allows it to sway. Villager won't fix it because it was National Grid that did it.

Mr. Hauk explained that he had spoken with the property owner and advised him to make a claim through National Grid to have it replaced.

Council Member Smith questioned how many loop holes we have to put people through.

Attorney Slye remarked that a car accident in Public Square is not the City's issue. He stated that the City didn't do anything. He also stated that the property owner got a whole new restroom out of the Public Square project.

Mrs. Corriveau explained that she had talked with the Crystal's owner as well as with National Grid. It is not something that the taxpayers should have to fix for a private entity.

EXECUTIVE SESSION

MOTION WAS MADE BY COUNCIL MEMBER CLOUGH TO MOVE INTO EXECUTIVE SESSION TO DISCUSS COLLECTIVE BARGAINING.

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

Council moved into Executive Session at 9:57 p.m.

Council reconvened at 10:50 p.m.

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 10:50 P.M. UNTIL TUESDAY, MAY 26, 2009 AT 6:00 P.M. BY MOTION OF COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton
City Clerk