

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
May 20, 2002
7:00 P.M.**

MAYOR JOSEPH M. BUTLER PRESIDING

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

ALSO PRESENT: **CITY MANAGER JERRY C. HILLER
ASSISTANT CITY MANAGER MARY M. CORRIVEAU
CITY ATTORNEY ROBERT J. SLYE**

Assistant City Manager Corriveau presented the following reports to Council:

- No. 1- Approving Agreement for Use of Building and Grounds, Watertown City School District
- No. 2- Accepting Proposal of Sovie & Bowie, C.P.A., P.C., for Auditing Services
- No. 3- Authorizing Purchase of Property, Parcels No. 6-08-106, 6-08-117 and 6-08-109
- No. 4- Finding that the Implementation of the Near East Side Neighborhood Improvement District Phase 1 Project Will Not Have a Significant Impact on the Environment
- No. 5- Approving the Special Use Permit Request Submitted by Charles L. Fluno, P.E. on Behalf of Peter & Brenda Cavallario, to Allow Remote Parking at 203-207 N. Massey Street, Parcels No. 7-06-101 and 7-06-123
- No. 6- Tabled – Resolution Authorizing Purchase of Property, Parcels No. 6-08-106, 6-08-117 and 6-08-109
- No.7- Laid Over Under the Rules – An Ordinance Authorizing the Issuance of \$605,000 Serial Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Acquisition and Construction of the So-Called State Street/Emerson Place Improvement Project, In and For Said City
- No.8 - Monthly Report
- No. 9 - Boards and Commissions, Pending Expires

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 6, 2002 and the adjourned meeting of May 13, 2002 was dispensed with and accepted as written by motion of Councilwoman Burns, seconded by Councilman Clough and carried with all voting in favor thereof.

COMMUNICATIONS

From the City's Planning Board:

1. Recommending approval of the site plan request submitted on behalf of Peter & Brenda Cavallario for the construction of a 900 sq. ft. addition and 23 space parking lot at 133, 203 and 207 N. Massey St, Parcels No. 7-05-121, 7-06-101 and 7-06-123 contingent upon certain requirements being met as outlined in the resolution.
2. Recommending approval of the special use permit submitted on behalf of Peter & Brenda Cavallario to allow remote parking at 203-207 N. Massey St., Parcels No. 7-06-101 and 7-06-123 contingent upon certain requirements being met as outlined in the resolution.

ABOVE PLACED ON FILE

From Charles Bolio, Recording Secretary for North Side Improvement League, asking Council not to downsize the police department during budget deliberations.

ABOVE PLACED ON FILE

From Caroline Searchfield and Melissa Brooks stressing the importance of the bus transportation for many city residents.

ABOVE PLACED ON FILE

From the City Assessor advising Council that the Benevolent and Protective Order of Elks Watertown Lodge No. 496, 728 Bradley Street, has offered to negotiate the sale of a vacant lot on Morrison Street.

ABOVE PLACED ON FILE

PRIVILEGE OF THE FLOOR

Donald Thompson, 710 Morrison Street, addressed the chair concerning the continuing problems with the salt pile. He explained that back yard flooding has increased significantly and the tarp is still open. He questioned when it would be closed and when the City was going to get involved with the cracks in the pad. He suggested the City follow the lead of the Town of Brownville with zoning regulations that would prohibit this type of use in the community.

James Brett, Chair of the Armed Forces Day Parade, addressed the chair thanking Council, the City Manager’s office and everyone else who helped with the parade. He remarked that he was extremely disappointed with the turnout of people to support the parade.

William Stoodley, 632 State Street, thanked the Council for their work on the Emerson Place project. He encouraged the Council to pass the resolutions this evening, as a great amount of work has gone into this. He stated that there would be future losses in revenues for the City if something weren’t done in that neighborhood.

Norman Wayte, William Street, speaking on behalf of William Street residents urged Council to support the NESNID project. He remarked that this project is not just about housing. It is a complete revitalization of the area.

RESOLUTIONS

INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS

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

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

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

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

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement between the City and the Watertown City School District, a copy of which is attached and made a part of this resolution, and

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

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

INTRODUCED BY COUNCILMAN JEFFREY M. SMITH

WHEREAS it is the responsibility of local municipalities to comply with Federal Single Audit requirements and

WHEREAS the City has a proposal for an audit of the General Purpose Financial

Statements and the Single Audit of the City's financial activities for the fiscal year 2001-02, and

WHEREAS a proposal has been received from Sovie & Bowie, C.P.A., P.C., to perform an audit of the General Purpose Financial Statements and a Single Audit of the financial activities of the City of Watertown, as prescribed by the Comptroller General, in the amount of \$15,800 for Fiscal Year 2001-02,

NOW THEREFORE BE IT RESOLVED that the Mayor, Joseph M. Butler, is hereby authorized and directed to execute the Letter of Acceptance with Sovie & Bowie, C.P.A., P.C., for the purpose of conducting an audit of the General Purpose Financial Statements and Single Audit of the financial activities of the City of Watertown for the Fiscal Year 2001-02.

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

INTRODUCED BY COUNCILMAN PAUL A. SIMMONS

WHEREAS the City Council of the City of Watertown has submitted a comprehensive grant for \$750,000 to fund housing rehabilitation, homeownership, and public facility improvements in a target area within the Near East Side Neighborhood Improvement District around the Emerson Place project, and

WHEREAS in order to move this project forward, the City is being asked to acquire and demolish certain properties within the Near East Side Neighborhood Improvement District for construction of roadways and the establishment of rights-of-way and to generally undertake such further site work which will ensure the economic viability of the Emerson Place project, and

WHEREAS the City Council of the City of Watertown deems it to be in the best interests of the City to acquire these properties to promote the economic development of the Near East Side through the Emerson Place project, recognizing that the project, as a whole, will greatly increase the taxable assessment of all properties in the affected neighborhood, and

WHEREAS the price to be paid for the properties is reasonable based upon the appraisals obtained and the projected costs of litigation which would have incurred in any proceedings under the New York Eminent Domain Procedure Law to otherwise obtain the properties, and

WHEREAS the City of Watertown has reached an agreement with the owner of Parcels No. 6-08-106, 6-08-117 and 6-08-109, at a purchase price of \$197,000 plus closing costs,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of

Watertown hereby authorizes the purchase of Parcels No. 6-08-106, 6-08-117 and 6-08-109, at a purchase price of \$197,000 plus closing costs, and

BE IT FURTHER RESOLVED that the City Comptroller is authorized, upon approval of the offer to purchase said property by the City Council, to issue a check in the amount of \$18,000 as a deposit, and

BE IT FURTHER RESOLVED that this resolution is expressly conditioned upon the City Council's approval of a \$605,000 bond ordinance which will provide the funding to purchase the properties and to fund any necessary improvements in the event the City's grant is not approved, and

BE IT FURTHER RESOLVED that Mayor Joseph M. Butler is hereby authorized and directed to execute said Contract to Purchase property, a copy of which is attached and made a part of this resolution.

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

Prior to the vote on the foregoing resolution, Councilman Smith asked about any reimbursements that the City would be receiving from this.

Mayor Butler referred to the printout attached to the report. He explained that if both grants were received, the City would be reimbursed considerably.

Councilman Clough stated that he had never been against the project. He also stated that he had never been "lobbied" so much about anything. He explained that he had major problems with the funding. However, he has spoken with Mrs. Norfolk and found out the information about assessments on these properties as well as in the surrounding area. He stated that he sees nothing but positive things for this project.

Mayor Butler stated that this is a significant neighborhood redevelopment project. While it is a major undertaking, this is an opportunity to remove significant blight. He commented that the businesses in the area are improving their properties and this will enhance the quality of living and the City's tax base. This project will reduce the number of rental units from 48 to 21.

Councilman Simmons remarked that this is a major change in the area and will help to support the businesses in that area. He explained that this neighborhood has the largest concentration of privately owned businesses in the City. He said that he hopes that other areas can be looked at and helped in the future.

INTRODUCED BY COUNCILMAN PAUL A. SIMMONS

WHEREAS the City Council of the City of Watertown is considering undertaking

a demolition and construction project known as Near East Side Neighborhood Improvement District Phase 1, and

WHEREAS the City Council must evaluate all proposed actions in light of the State Environment Quality Review Act (SEQRA) and the regulations promulgated pursuant thereto, and

WHEREAS the funding and undertaking said project constitutes such an Action, and

WHEREAS the City Council has determined that the proposed project is an Unlisted Action as that term is defined in 6NYCRR Section 617.2(ak), and

WHEREAS there are no other involved agencies for SEQRA review as that term is defined in 6NYCRR Section 617.2(s), and

WHEREAS to aid the City Council in its determination as to whether the proposed project will have a significant effect on the environment, Part 1 of a Full Environmental Assessment Form has been prepared, a copy of which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that:

1. Based upon its examination of the Full Environmental Assessment Form and comparison of the proposed action with the criteria set forth in 6NYCRR Section 617.7, no significant impact on the environment is known and the implementation of the proposed project will not have a significant effect on the environment.

2. The Mayor of the City of Watertown is authorized to execute a Negative Declaration under SEQRA.

3. This resolution shall take effect immediately.

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

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS Charles L. Fluno, P.E., has made application for a Special Use Permit on behalf of Peter and Brenda Cavallario to allow remote parking at 203-207 N. Massey Street, Parcels No. 7-06-101 and 7-06-123, and

WHEREAS the Jefferson County Planning Board is scheduled to review the proposed Special Use Permit request at its meeting to be held on May 28, 2002, pursuant to General Municipal Law Section 239-m, and

WHEREAS the Planning Board of the City of Watertown reviewed the request for the Special Use Permit at its meeting held on May 7, 2002, and recommended that the City Council of the City of Watertown approve the request, contingent upon the following:

1. That the applicant provide a letter of intent from the current property owner which authorizes the applicant to apply for the Special Use Permit and site plan approval.
2. That site lighting be provided at the rear of the parking area, consisting of at least two (2) pole mounted lights, which are designed to shine down and away from the adjacent residential property.
3. That a van accessible handicapped parking space is provided in the remote parking area.
4. That a 6' stockade fence be installed as part of the proposed buffer zone along the west property line.
5. That the two parcels, which make up the remote parking area, be combined by way of a new metes and bounds description filed with the County Clerk.
6. That Parcels No. 7-06-101 and 7-06-123 which are proposed for the remote parking area are used solely for parking for the restaurant to be located at 133 N. Massey Street, Parcel No. 7-05-121.

WHEREAS a public hearing was held on the proposed Special Use Permit on June 3, 2002, after due public notice, and

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2, and has determined that the project, as submitted, is Unlisted and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed Special Use Permit to allow remote parking constitutes an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, New York that a Special Use Permit is hereby granted to Charles L. Fluno, P.E., on behalf of Peter and Brenda Cavallario, to allow remote parking at 203-207 N. Massey Street, Parcels No. 7-06-101 and 7-06-123.

SECONDED BY COUNCILMAN PAUL A. SIMMONS

MOTION WAS MADE BY COUNCILWOMAN BURNS, SECONDED BY COUNCILMAN SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING RESOLUTION FOR MONDAY, JUNE 3RD AT 7:30 P.M.

MOTION WAS MADE BY COUNCILWOMAN BURNS, SECONDED BY COUNCILMAN SIMMONS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF TO TAKE FROM THE TABLE THE RESOLUTION “AUTHORIZING PURCHASE OF PROPERTY, PARCELS No. 6-08-106, 6-08-117 AND 6-08-109 (Introduced to Council on May 13, 2002; tabled; appears in its entirety on page 114 of the 2002 Minutes Book).

THE INTRODUCTION AND THE SECOND FOR THE FOREGOING RESOLUTION WAS WITHDRAWN

ORDINANCES

THE ORDINANCE “AUTHORIZING THE ISSUANCE OF \$605,000 SERIAL BONDS OF THE CITY OF WATERTOWN, JEFFERSON COUNTY, NEW YORK, TO PAY THE COST OF THE ACQUISITION AND CONSTRUCTION OF THE SO-CALLED STATE STREET/EMERSON PLACE IMPROVEMENT PROJECT, IN AND FOR SAID CITY WAS PRESENTED TO COUNCIL (Introduced to Council on May 13, 2002; laid over under the rules; appears in its entirety on page 116 of the 2002 Minutes Book).

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING ORDINANCE AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Moody’s Bond Rating

Mr. Hiller referred to his memo to Council concerning this. He explained that while the City continues to have an A3 rating, it would be important to monitor next year’s budget very closely.

Reorganization Plan

Councilwoman Burns apologized for not being at the last budget session and asked if Council wanted to look at this plan right now or to wait until a later date.

Mayor Butler stated that he sees it as a plan in action and wants to get more input about it from the staff.

Councilman Simmons remarked that Mr. Hiller would also like input from the Council on the plan. This plan has to be looked at over a longer period of time.

Councilman Clough commented that this plan needs some tweaking but has lots of valid points. He stated that the City should be moving forward with this plan as quickly as possible.

Mr. Hiller remarked that this plan could help the fund balance. However, the plan is tied to the retirement incentives.

Work Session

Council agreed to cancel the May 28th work session.

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 7:45 P.M. UNTIL 1:00 P.M. ON FRIDAY, MAY 24TH BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN SIMMONS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton, City Clerk