

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
July 18, 2005
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: **COUNCILMAN STEPHEN J. BRADLEY
COUNCILWOMAN ROXANNE M. BURNS
COUNCILMAN PETER L. CLOUGH
MAYOR GRAHAM**

ABSENT: **COUNCILMAN TIMOTHY R. LABOUF**

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

City Manager Corriveau presented the following reports to the Council:

- 1 - Approving Amendment No. 53 to the Management and Management Confidential Pay Plan
- 2 - Approving City of Watertown Participation in NYS Office of Real Property Services Annual Reassessment Program
- 3 - Approving Agreement for Professional Engineering Services, Watertown International Airport, Runway 10 Drainage Improvements, Bernier, Carr & Associates
- 4 - Approving the Project Agreement Between the City of Watertown and the Development Authority of the North Country for Funds From the North Country HOME Consortium
- 5 - Adopting Guidelines and Administrative Procedures for the Housing Improvement Program
- 6 - Approving the Site Plan for the Construction of a 14,409 Sq. Ft. Building at 929 Arsenal Street, Parcel No. 9-11-133
- 7 - Authorizing the Issuance of \$220,000 Serial Bonds of the City of Watertown, Jefferson County, New York, to Pay Additional Costs of the Construction of the Pearl Street Bridge, In and For Said City of Watertown
- 8 - Monro Muffler at 829 Arsenal Street
- 9 - 200th Anniversary of Public Square
- 10 - Executive Session
- 11 - RFQ Presentation – Redevelopment of Woodruff II and Iron Block Sites Watertown Rx, LLC, Monahan Development Corp.

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 July 5, 2005 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 Planning Board recommending that City Council grant approval to the site plan request submitted on behalf of HDL Property Group, LLC, for the construction of a 14,409 sq. ft. Walgreen's Drug Store at 929 Arsenal Street, Parcel No. 9-11-133, contingent upon certain requirements being met as outlined in the resolution.

ABOVE PLACED ON FILE

Minutes of the library's board meeting were received.

ABOVE PLACED ON FILED

PRIVILEGE OF THE FLOOR

Michael Natali, 116 Smith Street, addressed the chair concerning Monro Muffler and the fact that he feels they are not complying with the site plan requirements. He commented that the City should check on what is happening there versus what should be happening on the site. He stated that the site plan only allows tractor-trailers to use the Smith Street entrance for deliveries. However, now Waste Management is using it to pick up trash. He referred to Planning Board minutes that said deliveries would be once a week. He stated that he has brought these problems up time and time again and he is asking Council to act on the resolution that they passed. He stated that the owner of the property is not doing anything that he promised to do.

RESOLUTIONS

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Amendment No. 53 to the Management and Management Confidential Pay Plan, effective July 25, 2005, as follows:

Deputy Clerk (Elyse Frezzo)	\$32,000
Deputy Clerk (Amanda Lewis)	\$30,000

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS

WHEREAS the City Council of the City of Watertown wishes the City's participation in the NYS ORPS Annual Reassessment Program, and

WHEREAS City Assessor Brian Phelps has the City's Annual Reassessment Plan, and

WHEREAS the City's Plan is designed to cover a six year period of final assessment rolls from 2006 to 2011,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown authorizes the City's participation in the NYS Annual Reassessment Program covering tax roll years 2006-2011, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute the document on behalf of the City.

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY AND CARRIED WITH ALL VOTING YEA EXCEPT MAYOR GRAHAM VOTING NAY

Prior to the vote on the foregoing resolution, City Assessor Brian Phelps answered questions posed by the Council.

Councilman Clough asked if Mrs. Corriveau had taken steps to inform the residents of what this plan means.

Mrs. Corriveau responded that staff hasn't taken any action in advance of Council's endorsement or their turning down of the plan. She explained that if Council endorses the plan, Mr. Phelps would hold neighborhood meetings in the community to educate the public on the reassessment program.

Mr. Phelps explained that if this is approved, two sections of the City will have physical appraisals done and all the residential properties in the City will be reassessed at 100%. If the City does not opt into the plan, the two sections would still be done.

Mayor Graham commented that it is a difficult thing to vote on. He stated that he doesn't think it is a good idea to designate two target areas. He also commented that the public has the feeling that reassessment is a ruse for higher taxes.

Councilwoman Burns asked if there would be an increase in assessments if the plan were not approved.

Mr. Phelps responded that there would be. He also explained that under the plan, the City receives state aid in the amount of \$5.00 a parcel or approximately \$43,500. Mr. Phelps also explained that under an annual reassessment plan, commercial properties could also

be reassessed.

Councilwoman Burns commented that she is concerned with the commercial properties that take the City to court in an effort to have their assessments reduced. She stated that she would like to see the Assessment Department look at all the commercial properties in the City.

Mrs. Corriveau explained that people would continue to see changes in their assessments whether the City is in the plan or not. However, the 100% will not happen if the City doesn't opt into the plan.

Mayor Graham commented that he feels the whole property tax assessment system is voodoo math by allocating the burden of paying for government to certain people. He questioned the validity of the whole system.

Councilman Clough asked if the price of housing is driving this.

Mr. Phelps explained that this would have been looked at any way, regardless of the upswing in housing sales. He explained that by having this plan in place, if the upswing were just a bubble, the values would go down.

INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS

WHEREAS on April 4, 2005 the City Council adopted a resolution authorizing application to FAA for funding to support drainage improvements to Runway 10 at the Watertown International Airport, and

WHEREAS after filing the application, the City was notified by FAA that our initial grant application was placed in reserve, due to limited federal dollars, and

WHEREAS on July 8, 2005, the City was notified that funding is now available, with the stipulation that we complete the design and bid solicitation/award process and have all grant and contract agreements executed by August 31, 2005, and

WHEREAS an Agreement for Professional Engineering Services with Bernier, Carr & Associates has been prepared for City Council consideration for the design, construction and construction inspection of the Runway 10 Drainage Improvements, to include replacement of drainage structures, site grading and dredging of ditches, at a not-to-exceed cost of \$107,780.00, and

WHEREAS funding for this project is 95% Federal, 2.5% State and 2.5% Local, with the local share initially coming from the City, with reimbursement from Jefferson County,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement for Professional Engineering Services with Bernier, Carr & Associates, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY AND CARRIED WITH ALL VOTING YEA

Prior to vote on the foregoing resolution, Mayor Graham asked about the status of the transfer.

Mrs. Corriveau explained that the transfer documents have gone to the FAA. The County has received notification that the FAA will probably respond within weeks. Once the FAA has signed off, the documents go to DOT for signoff. She explained that nothing is holding up the process. It is moving along. She also advised that she and Attorney Slye would be meeting with the County this week to discuss the last issue.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the City of Watertown has been awarded a grant from the North Country HOME Consortium in the amount of \$230,000 for Fiscal Year 2005, and

WHEREAS it is necessary to enter into a formal agreement with the Development Authority of the North Country, as administrator of the Consortium funds, 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 it hereby approves the HOME Investment Project Agreement between the City of Watertown and the Development Authority of the North Country, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, is hereby authorized and directed to execute the Agreement on behalf of the City Council.

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

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the City of Watertown has received Small Cities Community Development Block Grant funding from the New York State Governor's Office for Small Cities to implement a local Housing Improvement Program, and

WHEREAS Guidelines and Administrative Procedures have been drafted to govern the operation of the Housing Improvement Program,

NOW THEREFORE BE IT RESOLVED the proposed Guidelines and Administrative Procedures for the Housing Improvement Program dated July 18, 2005 are hereby adopted and shall become effective immediately for all housing rehabilitation activities conducted with Small Cities Community Development Block Grant funding in the City of Watertown.

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

Prior to the vote on the foregoing resolution, Councilman Bradley commented that without seeing the old guidelines, he has nothing to compare these new ones to. He remarked that he would have liked to have seen the old guidelines as well.

Mrs. Corriveau explained that the committee is made up of the Mrs. Dutton, Mr. Mix, Mr. Lumbis and Mr. Mills. They review each application and ask questions concerning the property rehab.

Mr. Mix explained that the document is basically the same one since 1999. However, there were federal changes made and these changes had to be put in the new guidelines. He explained that there is now a \$30,000 emergency fund section. This is designed to aid fixed income residents in such areas as furnace work. There is also a new section for energy related improvements. In addition, income limits have been updated as well as new regulations regarding lead paint.

INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS

WHEREAS Gregory Sgromo, P.E., of Dunn & Sgromo Engineers, has made application for site plan approval on behalf of HDL Property Group LLC, for the construction of a 14,409 sq. ft. Walgreen's Drug Store at 929 Arsenal Street, Parcel No. 9-11-133, and

WHEREAS the Jefferson County Planning Board reviewed the site plan at its meeting on May 31, 2005, pursuant to General Municipal Law Section 239-m, 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 the Planning Board of the City of Watertown reviewed the site plan at its meetings held on June 7, and July 5, 2005 and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

1. A revised site plan must be submitted before the City Council meeting, with the Arsenal Street access as shown on drawing #SP0.1 dated 7/05/05, other revisions as shown on drawing #SP0.1 dated 6/07/05 and complete grading and landscaping plans as shown on drawings #SP1.0 and #SP-1.1 dated 5/16/05.

2. The landscaping plan is to be designed to block headlights on parked cars from shining across Arsenal Street.

3. The sanitary sewer lateral must be connected to the existing line on the developer's property and the sanitary sewer clean out will also have to be placed on private property.

4. The developer must submit additional storm-water construction details along with a storm-water management report for this project.

5. Spot elevations will have to be added at the back edge of the sidewalk at the driveway openings to ensure that all storm-water is contained upon the site and not allowed to flow into the street.

6. The developer is to coordinate all aspects of the water line work with the City Water Department.

7. The elevation of the sidewalk at the driveway openings is to be set at 6" above the center-line of the Bellew Avenue pavement to facilitate proper drainage.

8. The driveway entrance curbing must terminate at the developer's property line and standard City curbing is to continue through the driveway opening at 1" above the gutter level.

9. The relocation of the City owned street tree near the entrance/exit will be allowed provided that the owner replaces it at their cost if it dies, is damaged, or is destroyed.

10. A note should be added to the plans that directs the contractor to protect the two City owned street trees on Bellew Avenue during construction by installing some type of temporary construction fencing or other barrier that will protect the trees from mechanical damage from construction equipment.

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 construction and site plan constitute an Unlisted

Action for the purpose of SEQRA and hereby determines that the project as proposed will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, New York that site plan approval is hereby granted to Gregory Sgromo, P.E., of Dunn & Sgromo Engineers, on behalf of HDL Property Group LLC, for the construction of a 14,409 sq. ft. building at 929 Arsenal Street, Parcel No. 9-11-133, as shown on plans submitted to the City Engineer on July 14, 2005, contingent upon the applicant making the revisions and meeting the requirements listed above in the City Planning Board's recommendation.

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY AND CARRIED WITH ALL VOTING YEA

Prior to the vote on the foregoing resolution, Councilman Clough remarked that he felt that traffic would cause a negative affect as they discussed the SEQRA form.

Mr. Mix explained that right now traffic backs up past Taco Bell. However, under this site plan, NYS DOT has taken away the right hand exit and narrowed the driveway and moved it farther away from Taco Bell. People will have to exit onto Bellew Avenue. He remarked that this could only help traffic. It will shorten the line at the intersection.

Mayor Graham commented that he doesn't feel that the traffic pattern will be significantly altered.

Councilwoman Burns commented that any changes as a result of the DOT plan would be an improvement, not a negative.

Councilman Clough commented that in the Planning Board minutes it indicates that DOT may be asked to revisit it in the future.

Mr. Mix explained that the comment was made because at that time, Walgreen's was not aware of what DOT had proposed and the board didn't know if they would agree to it.

Guy Hart, Jr., representing Walgreen's addressed the chair stating that Walgreen's is satisfied with the plan and looking forward to coming to the community.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS a fire occurred in the City of Watertown at 301 Pearl Street on July 2, 2005, resulting in the destruction of a building owned by Railstar Corporation, and

WHEREAS the subject property, Tax Parcel No. 4-01-101, has been the subject of a real property tax lien since June 20, 2004, pursuant to Section 137 of the Watertown City Charter, and

WHEREAS said property went to tax sale on June 25, 2005, at which time the City became the holder of the tax sale certificate, and

WHEREAS pursuant to Section 22 of the New York General Municipal Law, the City is empowered to claim against the proceeds of a policy of fire insurance insuring the interests of an owner to the extent of any lien thereon, and

WHEREAS the City Council of the City of Watertown is authorized to adopt a resolution providing that the enforcement officer of the City, the City Comptroller, shall cause a Notice of Intention to Claim Against Proceeds to be served upon the State Superintendent of Insurance and to provide the certificate required by the New York General Municipal Law and New York Insurance Law, and

WHEREAS the City has previously adopted a local law pertaining to the release of insurance proceeds, which local law is contained in Chapter 180 of the Watertown City Code,

WHEREAS Section 22 of the New York General Municipal Law permits the City of Watertown, due to its prior enactment of the local law, to require that any insurance proceeds, otherwise entitled to be claimed by the insured, be withheld pending the insured's agreement with the City, in writing, "to restore the affected premises to the same or improved condition that it was in prior to the time that the lien of such (City) against proceeds provided for in (Section 22) arose," and

WHEREAS the affected premises cannot likely be restored to the "same or improved condition" given the extent of the destruction, but the debris should, instead, be appropriately removed and subjected to disposal, and

WHEREAS Section 22 of the New York General Municipal Law permits the City Council of the City of Watertown to impose conditions upon the release of funds which "shall provide the guarantee (d) performance of such obligation including, but not limited to, an agreement to deposit such proceeds in an escrow account or that the insured shall obtain a performance bond," and

WHEREAS the City Council of the City of Watertown deems it to be in the best interests of the citizens of the City that any insurance proceeds to which Railstar would otherwise be entitled should be deposited in an escrow account for payment of demolition and removal costs, and released only upon the condition that Railstar obtain a performance bond, for the benefit of the City, insuring total demolition and removal of all building debris in a lawful manner,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that the City Comptroller of the City of Watertown shall cause a Notice of Intention to Claim Against Proceeds of the policy of fire insurance for 301 Pearl Street to the extent of the City's lien on the premises to be served upon the State's Superintendent

of Insurance for entry in the index of tax districts maintained by the Comptroller as provided in the New York Insurance Law, and

BE IT FURTHER RESOLVED that the City Comptroller shall render to any insurer the certificate required and in the manner prescribed by the New York Insurance Law, and the amount stated in such certificate shall be a lien on the proceeds of the insurance policy until paid, and

BE IT FURTHER RESOLVED that the City Comptroller shall not authorize the release to Railstar of any amounts which it would otherwise be entitled to claim unless and until Railstar agrees with the City, in writing, to restore the affected premises to the same or improved condition that it was in prior to the time that the lien of the City against proceeds, provided for in Section 22 of the New York General Municipal Law, arose, and

BE IT FURTHER RESOLVED that the City Council of the City of Watertown hereby determines that restoration of the affected premises is unlikely, and that said condition on the release of amounts to Railstar may be satisfied by the demolition, removal, and disposal of all debris from the affected premises, and

BE IT FURTHER RESOLVED that the City Comptroller may not authorize the release of any amounts to Railstar, which it would otherwise be entitled to claim, unless and until an agreement to deposit the proceeds in an escrow account to fund the cleanup is reached, or Railstar has obtained a performance bond for the full extent of the building debris demolition, removal, and disposal.

SECONDED BY COUNCILMAN STEPHEN J. BRADLEY AND CARRIED WITH ALL VOTING YEA

(Rules waived by motion of Councilman Clough, seconded by Councilman Bradley and carried with all voting in favor thereof.)

ORDINANCES

INTRODUCED BY COUNCILMAN STEPHEN J. BRADLEY

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

WHEREAS, by bond ordinances dated November 15, 1999 (Ordinance No. 10), May 7, 2001 (Ordinance No. 1), February 17, 2004 (Ordinance No. 1) and August 16, 2004 (Ordinance No. 1), the Council of the City of Watertown, Jefferson County, New York, authorized the issuance of \$80,000, \$543,000, \$1,977,000 and \$50,000 serial bonds, respectively, of said City to pay expenses in connection with the reconstruction of

the Pearl Street Bridge, including incidental expenses in connection therewith, in and for the City of Watertown, Jefferson County, New York; and

WHEREAS, it has now been determined that the maximum estimated cost of the aforesaid reconstruction is \$2,870,000, and increase of \$220,000 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of \$220,000 serial bonds of said City to finance additional costs of said specific object or purpose;

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

Section 1. For the specific object or purpose of paying additional costs of the reconstruction of the Pearl Street Bridge, including incidental expenses in connection therewith, there are hereby authorized to be issued \$220,000 serial bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is \$2,870,000, and that the plan for the financing thereof is as follows:

- a. by the issuance of the \$80,000 serial bonds of said City authorized to be issued pursuant to bond ordinance dated November 15, 1999;
- b. by the issuance of an additional \$543,000 serial bonds of said City authorized to be issued pursuant to bond ordinance dated May 7, 2001;
- c. by the issuance of an additional \$1,977,000 serial bonds of said City authorized to be issued pursuant to bond ordinance dated February 17, 2004;
- d. by the issuance of an additional \$50,000 serial bonds of said City authorized to be issued pursuant to bond ordinance dated August 16, 2004; and
- e. by the issuance of an additional \$220,000 serial bonds of said City to be issued pursuant to this bond resolution; provided, however, that the amount of serial bonds ultimately to be issued will be reduced by the amount of any State and, or Federal aid received by said City for such specific object or purpose.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law, calculated from May 31, 2001, the date of issuance of the first obligations issued for the aforesaid specific object or purpose. It is hereby further determined that maximum maturity of the serial bonds herein authorized will exceed five years.

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

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

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

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

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and

shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

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

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

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

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

SECONDED BY COUNCILMAN PETER L. CLOUGH

LAID OVER UNDER THE RULES

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Iron Block Proposals

Mayor Graham opened the floor for Mr. Coon and Mr. Monahan to explain their proposals for the site. Council and the Review Committee members posed questions.

Donald Coon addressed the chair explaining how his group had purchased the Key Bank building and brought it up to 95% occupancy. He explained that his group has also filled over 100,000 sq. ft. of buildings in the downtown. He stated that there is not enough parking in downtown. He also commented that the Paddock Arcade and the Woolworth building need parking, at least 50 spaces. He stated that his problem with the process is that it requires a winner and a loser. He stated that Council could decide that both developers should work together. He stated that he would be willing to pay the City for

his 50 spaces and would leave it to Christine Hoffman, to fill the gap for Monahan's financing. He stated that other than Gary Beasley and Neighbors of Watertown, his group has been successful in turning around more sq. ft. of buildings in the City of Watertown than anyone else. He commented that by using his plan and allowing him the 50 spaces, it would let his group go ahead to do their remodeling in the Arcade and the Woolworth building.

Mayor Graham commented that both those buildings are signature buildings in the downtown and without parking for the buildings, nothing could be done.

Mr. Coon remarked that the business tenants need to know that they have parking. He also explained that this is the last chance for a central business district in the downtown. He explained that small shops in the downtown would survive because of a downtown workforce. He also reiterated his group's plan to pay for the lot. He also agreed with Mayor Graham that an access road project should be moved ahead with.

Mayor Graham commented that he would not do anything that would commit to a contractor from Utica coming in to knock down the Woolworth building in future years. He stated that we have seen the results of not planning.

Committee members asked about Mr. Coon's plan for a second phase of his project.

Mr. Coon explained that he prefers to buy the space he needs and while his group has thought about the plans for the second phase, nothing has been designed at this point due to the high cost of engineering expense that would be incurred if their proposal were not selected.

James Monahan addressed the chair outlining his firm's proposal for the site. He discussed the projects that his firm had worked on in urban areas. He stated that he agreed with Mr. Coon in the fact that the Woolworth building does need parking.

Steve Kraus, QPK Design, addressed the chair outlining the design of the proposal. He explained that surveys show that people living downtown spend four times as much money in the downtown than a person working downtown. He stated that the plan calls for 10,644 sq. ft. of retail at the street level with 30 stalls of secured parking under that. Above would be 48 apartments – 40 one-bedroom units and 8 two-bedroom units. Mr. Kraus explained that there would be a pedestrian walk-thru at street level. He also discussed the plan's urban elevated terrace.

Mr. Monahan answered questions concerning the \$1.6 million gap in funding, stating that at this point, he doesn't know how this would be solved. He remarked that the gap financing could be through debt. He also commented that the apartments would not be linked to income restrictions and would probably rent for \$1,100 for the 1 bedroom and \$1,700 for the two bedrooms.

Mayor Graham commented that the City has other challenged buildings in the downtown and any gap has to come out of public monies. He questioned putting the monies into a new structure instead of putting it into the old buildings.

Mayor Graham asked if there was much of a market for rents of this amount in the City.

Mr. Monahan commented that he believes there is and in Syracuse there is a waiting list for apartments such as these that rent for high amounts.

Councilwoman Burns commented that she had reserved any discussion on this because of previously being an owner of the Arcade. She asked if she understood correctly that the Monahan plan would not target lower income housing.

Mr. Monahan stated that it would not.

Mayor Graham commented that Mr. Coon's group has done what they said they would do. They have energized buildings creating business offices in the downtown. He stated that the City has to make sure that Mr. Coon has the parking that he requires.

Mr. Monahan remarked that he is aware of the Woolworth building. He is also aware of the urban parking problem.

Committee members asked if Mr. Coon's proposal could be integrated into Mr. Monahan's proposal.

Mr. Monahan commented that he didn't know. He did comment that it makes sense to be a good neighbor.

Mayor Graham remarked that when the Iron Block came down, the area became a huge visional funnel that does point down to the river. He questioned if it was absolutely necessary to fill the void. He questioned if it was a bad thing to have the open space.

Councilman Clough asked about the time frame.

Mr. Monahan explained that he would need 120 days to access the resources, etc. The gap issues will extend the time. The actual building time would be 12-24 months.

Councilman Clough referred to the apartments and questioned the need for one and two bedroom units. He referred to a survey done previously that indicated there is a need for three and four bedroom units.

Mr. Monahan explained that the downtown is not the best location for family housing and therefore, the proposed units are smaller.

Mayor Graham asked what type of retail there would be.

Mr. Monahan explained that it would be general urban retail such as coffee shops, restaurants, etc.

The committee members remarked that they wanted to know if Mr. Monahan's plan could aid Mr. Coon in his proposal while working with the Monahan proposal.

Mr. Monahan remarked that this is the City's opportunity to develop the site; the City needs to tell the developers what it wants.

Councilman Bradley remarked that in looking at the Monahan design the lower level of 48 parking spots takes up one full level. He questioned where additional parking would go.

Mr. Monahan and Mr. Kraus explained that it could be multi-deck parking, which would drive the project cost up. However, parking fees in Syracuse were increased to offset these costs in those projects.

Councilman Bradley commented that he is concerned that the City will have a bigger gap if we don't help the Woolworth building. He stated that we should take care of what we have.

Mayor Graham expressed concern for Empsall's Plaza and the Franklin building as well.

Mayor Graham asked how this RFQ process resolves itself.

Mrs. Corriveau suggested a follow-up meeting with staff, committee members and Council. She will coordinate a time for the meeting.

Mayor Graham thanked both developers and the committee for their work on this project.

Monro Muffler

Mrs. Corriveau referred to her memo stating that P.J. Simao, representing the owner of 829 Arsenal Street, had contacted her concerning the language in the resolution approving the site plan. The resolution states that the Smith Street driveway is to be used by "tractor-trailers" only. Garbage trucks must also use the drive to enter the site to empty the garbage dumpster. Mr. Simao would like the conditions of the site plan broadened to allow garbage trucks to use the Smith Street driveway.

Mayor Graham questioned if this was an "intent" discussion. He asked what would happen if Ni Mo or Verizon had to get on the site to service phone lines.

Attorney Slye remarked that the question is what are the conditions of the site plan resolution and did Council mean delivery or pickup or did they mean delivery of product only from the regional distribution center.

Mayor Graham commented that they are not going to debate every truck that comes in. He remarked that we have a contentious situation between Monro and some of the neighbors. He stated that it is a semantics issue and these neighbors would find something every week to complain about. He stated that Waste Management is part of what services a business. He asked why they didn't use the Arsenal Street entrance.

Mrs. Corriveau explained that it is hard for them to get to the site of the dumpster by using Arsenal Street

Mr. Natali stated that there are other trucks and if the City makes an exception for one will they make an exception for others. He stated that the lawyer for the owners specifically stated during meetings concerning the site plan that there would be only one truck a week making a delivery. Mr. Natali stated that he has seen the Waste Management truck, but not the delivery truck. He also commented that Mr. Pierce has seen a Coca-Cola truck making a delivery.

Mayor Graham responded that if anyone decided to have a Coke truck come to their house to make a large delivery, they could do so.

Mr. Natali responded that the agreement was made and now Munro is not living up to it.

Mayor Graham asked if it was that the neighbors are objecting to the trucks or is it that Monro is not living up to the agreement. He also commented that no one from the City is going to sit down there and watch for a truck.

Mr. Natali responded that it should only be a Monro Muffler truck. He stated that he hopes Council won't change the resolution or make any exceptions. He also remarked that there is not signage on the chain.

Mayor Graham remarked that in reality, if we leave the resolution as it is and Waste Management comes in, nothing is going to happen. He commented that the occasional truck used in the general conduct of business is assumed in any situation. He stated that the neighbors would not do themselves a favor by holding vigil on their front porches.

Mr. Natali asked what would happen if a tow truck came in. He stated that the idea was to keep as much traffic off of Smith Street as possible.

Councilwoman Burns asked if the neighbors would prefer the dumpsters not to be dumped.

Mr. Natali responded that he would prefer them to use the Arsenal Street entrance.

Councilwoman Burns asked if staff could talk to the owner to see if Waste Management could use Arsenal Street.

Councilman Bradley remarked that the answer is to call the owner to say what they can't do.

Councilman Clough suggested moving the dumpster to an area that would allow Waste Management to access it from Arsenal Street.

Mayor Graham commented that he is not in favor of changing the site plan resolution, nor is he in favor of the neighbors staying on their front porch 24/7 looking for a rogue truck.

Mr. Natali commented that he had said all along that the property was too small for the project.

Mrs. Corriveau reviewed the site plan resolution which states, "tractor trailers only"- but doesn't specify the number or which ones. She stated that she would speak with the owner and put in writing the fact that Council wishes that he stays with the conditions as outlined in the resolution.

200th Anniversary of Public Square

Mrs. Corriveau advised that staff is looking to Council for suggestions for this event. A group of interns are working on displays for the downtown area and staff is working on a brochure for a walking tour in the downtown area in conjunction with the Jefferson Co. Public Health Steps program.

Federal Highway Bill

Mayor Graham asked for an update on this.

Mrs. Corriveau responded that before the July 4th weekend, she had been notified that there was another extension on the bill.

Mayor Graham asked that the City Manager contact Senator Clinton's office.

Water Heater at New Maintenance Facility

Mrs. Corriveau referred to a memo from Mr. Pilon outlining the problem they had with a pressure relief valve, which burst on the water heater at the new maintenance facility. Mold developed and the City has notified insurance carriers.

EXECUTIVE SESSION

MOTION WAS MADE BY COUNCILMAN CLOUGH TO MOVE INTO EXECUTIVE SESSION TO DISCUSS COLLECTIVE BARGAINING AND THAT CAPTAIN REFF BE ALLOWED TO ATTEND THE SESSION.

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

Council moved into Executive Session at 9:34 p.m.

Council reconvened at 10:05 p.m.

Crosswalks

Councilwoman Burns referred to the recent jaywalking incident on Factory Street. She asked about the possibility of having a crosswalk in that area.

Mrs. Corriveau stated that staff could take a look at what crosswalks are in that area.

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 10:10 P.M. BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN BRADLEY AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton
City Clerk