

**CITY COUNCIL MEETING
CITY OF WATERTOWN
August 17, 2009
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: **COUNCIL MEMBER ROXANNE M. BURNS
COUNCIL MEMBER JASON R. BURTO
COUNCIL MEMBER JOSEPH M. BUTLER, JR.
COUNCIL MEMBER JEFFREY M. SMITH
MAYOR GRAHAM**

ALSO PRESENT: **CITY MANAGER MARY M. CORRIVEAU
ATTORNEY JAMES A. BURROWS**

The City Manager presented the following reports to Council:

- 1 - Appointment to Empire Zone Administrative Board, Joseph M. Butler, Jr.
- 2 - Appointment to Community Action Planning Council, Peter L. Clough
- 3 - Approving Public Benefits Services Agreement Between the City of Watertown and the Jefferson County Historical Society
- 4 - Approving the Project Agreement between the City of Watertown and the Development Authority of the North County for Funds From the North Country HOME Consortium
- 5 - Approving an Amendment to the Site Plan For an Auto Sales Lot Located at 1057 Arsenal Street, Parcel No. 09-15-101.000
- 6- Approving the Agreement By and Between Robert J. Kasulke, M.D. and the City of Watertown

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 August 3, 2009 and the special meeting of August 11, 2009 was dispensed with and accepted as written by motion of Council Member Smith, seconded by Council Member Butler and carried with all voting in favor thereof.

Mayor Graham acknowledged and welcomed Council Member Burto.

COMMUNICATIONS

From the City Planning Board advising Council that they defeated a motion recommending granting approval for the amendment to the site plan submitted for the property located at 1057 Arsenal Street. They recommended that the applicant follow the approved site plan which was submitted to the Engineering Department on August 7, 2009.

ABOVE PLACED ON FILE

Claim against the City was resubmitted by Lorraine Irwin for person injuries she sustained when she fell at the Fairgrounds Arena while ice skating.

ABOVE REFERRED TO THE BOARD OF AUDIT

PRIVILEGE OF THE FLOOR

Wayne Zimmer, Katherine Street, addressed the chair on several issues including his concern for the lack of signage on Public Square.

R E S O L U T I O N S

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS New York State has designated an Empire Zone pursuant to Article 18-b of the New York State General Municipal Law within the Town of Watertown and the City of Watertown on July 27, 1994, and

WHEREAS Article 18-b of the New York State General Municipal Law requires that an Empire Zone Board be in place to oversee the operation of the Zone, and

WHEREAS there exists a vacancy on the Board for a City Council Representative for the unexpired term of former Council Member Peter L. Clough,

NOW THEREFORE BE IT RESOLVED that Joseph M. Butler, Jr. is hereby appointed to the Empire Zone Administrative Board to fill the vacancy created by the resignation of former Council Member Peter L. Clough for a term which expires on May 31, 2012.

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

Prior to the vote on the foregoing resolution, Council Member Butler remarked that he would not be voting on this appointment.

Council Member Burns thanked Council Member Butler for stepping up to the plate to take on this responsibility.

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS there exists a vacancy on the Community Action Planning Council Board,

***WHEREAS THE CITY COUNCIL HAS DETERMINED THAT THERE ARE NO ELECTED OFFICIALS REASONABLY AVAILABLE OR ABLE TO**

SERVE AND THEREFORE DESIRE TO APPOINT A REPRESENTATIVE ON THEIR BEHALF TO THE COMMUNITY ACTION PLANNING COUNCIL BOARD,”

NOW THEREFORE BE IT RESOLVED that Peter L. Cough is hereby appointed to the Community Action Planning Council Board to fill the vacancy for a term which expires on December 31, 2009.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH

Prior to the vote on the foregoing resolution, discussion was held as to what was stated in CAPC’s by-laws relative to appointments.

Council Member Burns remarked that Mr. Clough was certainly an asset and we will miss him as a City resident. She was glad to see that he is willing to serve on the board.

Mayor Graham responded that he has no problem with the appointment. However, the original resolution does not read as the rules indicate. Therefore, he offered an amendment which has been added to the resolution.

MOTION WAS MADE BY MAYOR GRAHAM TO AMEND AS INDICATED ABOVE. MOTION WAS SECONDED BY COUNCIL MEMBER BURNS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

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

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS the City Council has received a request for funding to support the promotion of the Jefferson County Historical Society, and

WHEREAS the City Council of the City of Watertown desires to appropriate \$5,000 from the FY 2009-10 Tourism Fund to support the Jefferson County Historical Society, and

WHEREAS the Jefferson County Historical Society will expend the funds to market and promote the City of Watertown through the public media, print, radio, television, direct contact and other promotional devices and that this will encourage tourism in the City of Watertown, and

WHEREAS the City of Watertown wishes to enter into an Agreement for Public Benefit Services between the City of Watertown and the Jefferson County Historical Society, a copy of which is attached and made a part of this resolution,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves a Public Benefit Services Agreement between the City of Watertown, New York and the Jefferson County Historical Society, and

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

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCIL MEMBER BURNS ABSTAINING.

Prior to the vote on the foregoing resolution, Council Member Burns explained that she would recuse herself from the vote since she serves on the Historical Society's board of directors.

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS the City of Watertown has been awarded a grant from the North Country HOME Consortium for a total of \$244,887.00 for program years 2009 and 2010, 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, and

WHEREAS an Agreement has been drafted, 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 Mayor, Jeffrey E. Graham, is hereby authorized and directed to execute the Agreement on behalf of the City Council.

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

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS the City Council approved the site plan for an auto sales lot located at 1057 Arsenal Street, Parcel No. 09-15-101.000 on September 2, 2008, and

WHEREAS the approval of the site plan included various conditions including Condition #3, which stated: "The area of the street right-of-way along Casey Street that the applicant covered with crushed stone must be restored to grass before the issuance of a Certificate of Occupancy," and,

WHEREAS Alton Sharlow has requested that Condition #3 be changed to allow for mulch instead of grass, and

WHEREAS the Planning Board reviewed the request at its August 4, 2009 meeting and defeated a motion recommending that the City Council approve the request submitted by Alton Sharlow, and

WHEREAS this change is not significant enough to require a new environmental review pursuant to the State Environmental Quality Review Act,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that Condition #3 in the resolution adopted September 2, 2008, which approved the site plan for an auto sales lot located at 1057 Arsenal Street is hereby amended to read as follows: “The area of the street right-of-way along Casey Street that the applicant covered with crushed stone must be replaced with grass or mulch before the issuance of a Certificate of Occupancy.”

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND DEFEATED WITH ALL VOTING NAY.

Prior to the vote on the foregoing resolution, Mr. Mix answered questions posed by Council concerning the amendment request. He explained that the Planning Board also had concerns that the owner of the property has not complied with several aspects of the site plan such as plantings and curbing.

Attorney Burrows advised that as of this morning, the owner did not have a permanent certificate of occupancy and will not receive one until in full compliance with the site plan. He also explained that a temporary certificate of occupancy can be extended. However, he is not familiar with this particular one.

Council Member Butler asked Mr. Mix why City staff didn't have a problem with the mulch.

Mr. Mix explained that well maintained mulch looks good. However, when the Planning Board saw it, the grass was growing up through it. He also explained that it has been mulch since last fall.

Council Member Butler asked if the owner was on board with trying to work this out.

Mr. Mix advised that the owner of the property is not the owner of the business. However, the engineer for the property owner has been in and is looking at complying with the site plan issues.

Council Member Butler commented that this is a change from when the site plan was approved in September as Council thought that the business owner and the property owner were one in the same.

Mr. Mix advised that the site plan is tied to the property, not to the owner.

Attorney Burrows advised that while a temporary certificate of occupancy can be revoked, it is expected that this will all be taken care of.

Mayor Graham remarked that he felt it was premature to consider the mulch issue until he has met all the other outstanding issues of the site plan.

Council Member Smith remarked that the City didn't change any of the stipulations that the property owner had agreed to.

Council Member Burns commented that she would support the Planning Board's decision on this.

**NO MOTION WAS MADE TO TAKE FROM THE TABLE THE RESOLUTION
"APPROVING THE AGREEMENT BY AND BETWEEN DR. ROBERT J. KASULKE,
M.D. AND THE CITY OF WATERTOWN FOR PUBLIC HEALTH OFFICER"**

Introduced on July 20, 2009; tabled; appears in its entirety on page 181 of the 2009 Minutes Book).

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

PAVILION DEDICATION

Mayor Graham advised that there will be a dedication of the Rotary Pavilion in Thompson Park on Wednesday, at noon.

Ornamental Lighting

Council Member Burns asked for an update on this.

Mrs. Corriveau explained that the lights and poles are in. National Grid will be contracting the work out and she doesn't know when it will begin. She showed Council the luminaire that was selected by Council.

Council Member Butler questioned what incentive there was for National Grid to do this work quickly.

Mrs. Corriveau advised that the luminaires have a tool-less entry and thus will speed up the work time required for repairs in the future.

Council Member Burns asked if National Grid would keep the City updated on what the plans are.

Mrs. Corriveau responded that they would and that the City and National Grid have had a good working relationship over the years.

Summer Recreational Programs

Council Member Burns asked that Mrs. Corriveau have Mr. St. Croix prepare a brief report on the success of the youth tennis and golf programs that were implemented.

Mrs. Corriveau responded that she will contact Mr. St. Croix and the information will be included in the upcoming City Manager's Update report to Council.

Council Member Butler complimented these programs.

Stop Signs – Holcomb/Mullin

Council Member Butler asked about the read metal attachments that had been discussed at a previous meeting.

Mrs. Corriveau explained that DPW has looked at them on line and the sign division is ordering them.

Lights on Kostyk Field

Council Member Smith asked for an update.

Mrs. Corriveau explained that the lights were removed but there will be lights for the football season.

Public Square Flag Pole

Council Member Smith advised that the light is not working on the flag pole.

Mrs. Corriveau will contact the Police Department to raise and lower the flag until the light has been repaired.

Public Square Traffic Signals

Council Member Smith asked for an update concerning the traffic signals for the light going toward Mill Street, coming off Public Square. He remarked that it looks like the poles are reversed.

Mrs. Corriveau explained that this had been discussed at staff meetings. Mr. Hauk has been on military duty and vacation and just returned today. She explained that what they tried to do was salvage the signals that were there and the placement is pretty much where they were.

Mayor Graham remarked that this is a real safety issue.

Stateway Plaza

Mayor Graham asked about the meeting with the owners of the plaza.

Mrs. Corriveau explained that while they would like the City to build a street through the plaza, it isn't going to happen. She reiterated the fact that she had made them aware that the City was not going to build a street there. Mrs. Corriveau explained that a meeting should be held with the owners, NYS DOT representatives, Mr. Donegan, Mr. Hauk and her to discuss the issues.

Mayor Graham asked if the owners had a long term plan for the property.

Mrs. Corriveau responded that they didn't discuss long term plans.

Mayor Graham remarked that the most important thing is the neighborhood water and sewer issue.

Washington Street Sidewalk/Traffic Signal

Mayor Graham remarked that the sidewalk on Washington Street is almost done and the lights are going up shortly.

Mrs. Corriveau responded that the project is fairly well completed. The traffic signals will be in before school begins.

Public Square Parking

Mayor Graham asked about the adjustments that were supposed to be done in the striping on Public Square to create a couple of extra parking spots. He also asked if two or three temporary spaces could be created west of the speed bump in the area where the road will eventually go down to JB Wise.

Mrs. Corriveau will speak with Mr. Hauk about these issues.

Deck

Mayor Graham referred to the Department of State letter that he had received concerning the deck issue (Not on file in the Office of the City Clerk). He advised that Assemblywoman Russell had said she was willing to take the issue to the legislature in the future if need be. He remarked that he thought Senator Aubertine would also be willing to help with this. Mayor Graham commented that the YMCA was a different situation in that it was delayed because of Republican control of the Senate. Commenting on the tables that Council said they would put down there, he suggested that a recommendation should come from staff during a work session.

Mrs. Corriveau asked if it was Council's desire to do the tables this fall or in the spring. She also asked how Council wished to fund the purchase of the tables. She advised that signage is underway and will be presented to Council at the September work session.

Council Member Burns commented that it would make sense to have the discussion on the tables during the work session on signage.

Mayor Graham remarked that Council will also have to address the smoking issue.

Council Member Smith commented that he thought the Council had banned smoking in terms of parks and playgrounds.

Mayor Graham remarked that he thought it was just for playgrounds.

Mrs. Corriveau will check into this.

Mill Street Work

Mrs. Corriveau advised the Council that the contractor work on Mill Street has been completed. National Grid has been notified so that they can take care of their conduit and then the City can finish the work.

ADJOURNMENT

**AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 7:59 P.M.
BY MOTION OF COUNCIL MEMBER BURNS, SECONDED BY COUNCIL MEMBER
SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

Donna M. Dutton
City Clerk