

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
September 16, 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 Manager Corriveau presented the following reports to the Council:

- 1 - Appointing Commissioner of Deeds
- 2 - Designation of City Manager Jerry C. Hiller as Eligible Employee for NYS and Local Employees' Retirement System Early Retirement Incentive
- 3 - Authorizing Sale of Real Property, Known As VL 265 and VL 266 Hillcrest Avenue, Parcels No. 1-13-240.000 and 1-13-241.000
- 4 - Approving Amendment No. 34 to the Management and Management Confidential Pay Plan
- 5 - Approving Master Agreement on Terms and Conditions of Accepting Airport Improvement Program Grants
- 6 - Approving Federal Aviation Administration Grant Agreement, Watertown International Airport, Runway 10-28 Rehabilitation, Design Phase
- 7 - Accepting Bid Reconstruction of St. Mary's Street, Phase II, Barber Construction
- 8 - Approving the Special Use Permit Request Submitted by Steven C. Daily of Red & White Auto Sales to Allow a Used Car Sales Lot at 424-440 Arsenal Street, Parcels No. 7-05-206, 7-05-207 and 7-05-208
- 9 - Authorizing An Application to the New York State Department of Environmental Conservation for Funding for the 2003 Urban Forest Summer Watering and Maintenance Program
- 10 - Amending Section 293-58 of the City Code, Schedule X: Stop Intersections
- 11 - Monthly Report
- 12 - Near East Side Neighborhood Strategic Plan Workshop

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 September 3, 2002 was dispensed with and accepted as written by motion of Councilwoman Burns, seconded by Councilman Simmons and carried with all voting in favor thereof.

COMMUNICATIONS

Minutes were received from the library's board meeting.

ABOVE PLACED ON FILE

From the Planning Board recommending Council grant approval for a Special Use Permit submitted by Steven C. Daily of Red & White Auto Sales to allow a used car sales lot at 424-440 Arsenal Street contingent upon meeting certain requirements as outlined in the resolution.

ABOVE PLACED ON FILE

From the City Assessor advising that the following individuals have offered to negotiate the sale and purchase of the following City owned property:

Charles Hosmer, 646 Flower Street for:
Vacant Lots Fassett Street
Parcel Nos. 4-19-803.000; 4-19-804.000 and 4-19-805.000
Lot size approximately 50' x 1112' each

Jeff Roshia, 617 Lansing Street for:
Vacant Lot Burlington Street
Parcel No. 3-05-331.000
Lot size approximately 50' x 110'

Marvin J. Massey, 525 Water Street for:
527 Water Street
Parcel No. 4-14-109.000
Lot size approximately 82' x 99'

ABOVE PLACED ON FILE

The following claims against the City were received:

- 1.From Rhonda Reid for personal injuries she sustained when she fell between the sidewalk and 663 Mill Street.
- 2.From Rose Ward for items removed from her property by City crews after a complaint from Code Enforcement.

ABOVE CLAIM REFERRED TO THE BOARD OF AUDIT

PRIVILEGE OF FLOOR EXTENDED

Donald Thompson, 710 Morrison Street, addressed the chair concerning the salt pile situation. He read from a report, which indicated that American Rock Salt had requested a permit to increase the discharge flow to 30 gallons per minute. He discussed the fact that the pond liner floats as a result of the ground water buildup and that water in the sub-base leads to cracking of the pad. He stated that the report also indicates that diverting the sub water could improve the situation. He asked that the City look at the report as he feels that this needs oversight by the Council.

Mayor Butler responded that he had spoken with Mr. Liu and it is the City's understanding that American Rock Salt is requesting a permit for 60 gallons per minute.

Mr. Hiller also advised that the permit would be issued by DEC. However, the City's storm sewer is not sufficient in size to absorb the flow. Therefore, American Rock Salt would pay for the expense of increasing the size.

Mayor Butler asked about the zoning request proposal.

Mr. Hiller explained that Attorney Slye has completed review of the proposal and has made recommendations in draft form. He has also offered some alternatives to explore which would get the City to the same point.

Councilman Clough asked about the DEC permit and the fact that the City has no say in it.

Mr. Hiller explained that the City has no say since the DEC is the regulatory agency. He explained that there is no basis that he knows of for the City to be able to say no. However, they would have to meet the City standards to increase the size of the sewer drain to meet the needs of the size of the flow.

Councilman Clough asked Attorney Slye if the City could refuse to let them increase the flow.

Attorney Slye responded that while he doesn't know for sure without doing research, he would tend to agree with Mr. Hiller in the fact that the City has no basis for refusing the increase in flow once the sewer drain meets City standards.

Mrs. Corriveau commented that when the NY Air Brake capped their landfill and they were issued a permit through DEC and the City worked with them.

Dan Francis, 463 Harris Drive, asked about the City Manager's early retirement incentive that appears on the agenda. He questioned whether the program was state or local.

Mrs. Corriveau explained that it was at the state level.

Mr. Francis also mentioned the Downtown Development Coordinator's position and asked that the City and County consider pressing charges as it involved taxpayer money.

Mayor Butler commented that the Council would rely on the City Attorney for legal guidance in this matter. He explained that the credit card was from JCJDC and not the City's care. JCJDC will be pursuing the matter. He stated that as a member of that board he would follow up on it.

RESOLUTIONS

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

RESOLVED that the following individuals are named Commissioner of Deeds for the term ending December 31, 2002:

Non-City Employees

Barbara A. Brown
Kathleen L. Gee

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

INTRODUCED BY COUNCILMAN PAUL A. SIMMONS

WHEREAS on September 3, 2002, the City Council of the City of Watertown adopted Local Law No. 8 of 2002, and

WHEREAS Local Law No. 8 authorizes the City to participate in the early retirement incentive provided by the NYS and Local Employees' Retirement System, and

WHEREAS Jerry C. Hiller, Watertown City Manager, has been identified by the Retirement System as an employee who qualifies for this targeted program, and

WHEREAS savings in the overall program are found to exist in granting the early retirement incentive to Mr. Hiller, and

WHEREAS it is in the best interests of the City to achieve savings by designating Mr. Hiller as an eligible employee under the retirement incentive,

NOW THEREFORE BE IT RESOLVED that Jerry C. Hiller is hereby designated as an eligible employee under the NYS and Local Employees' Retirement System early retirement incentive, and

BE IT FURTHER RESOLVED that Mr. Hiller shall provide appropriate notice to the City Council of his intention to avail himself of the early retirement incentive, and

BE IT FURTHER RESOLVED that the Mayor is authorized to take all steps necessary to effect the City Council's intent to designate Mr. Hiller as an eligible employee.

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

Prior to the vote on the foregoing resolution, Councilman Clough asked what the time frame would be.

Mayor Butler explained that the City Manager could wait until the last day of the 90-day time frame to opt into the program. Then Council would have to decide whom the interim City Manager would be and how long Council would ask Mr. Hiller to stay on. Mayor Butler also explained that Mr. Hiller had approached him about being considered for retirement. He stated that Council has received information on potential savings estimated to be around \$76,000. He also commented that the interim position would not mean extra salary to someone in the position. However, when the costs are also considered, it would be a wash. He also commented that it would not be fair to not renew his contract even if it was cheaper.

Councilman Smith asked what Council needs to consider in deciding on this.

Attorney Slye explained that the wording in the resolution meets all of the state requirements.

Councilwoman Burns commented that in offering this plan to City employees in general, the City would see an overall savings. She also commented that Mr. Hiller has been a very effective City Manager.

Mayor Butler commented that it is important to treat City employees fairly.

Councilman Simmons asked Mayor Butler what he meant by not paying someone in the interim position.

Mayor Butler stated that they would be paid. Attorney Slye explained that if someone already employed by the City filled the position, the savings would be in the amount of money that was saved from the salary of the previous position.

Councilman Smith asked if Mr. Hiller could take a position in another municipality after opting into this program.

Mrs. Corriveau indicated that if the City Manager opts into the early retirement, he couldn't be employed by a New York State municipality.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale certain lots of land known as VL 265 and VL 266 Hillcrest Avenue, each lot approximately 30' x 70' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcels No. 1-13-240.000 and 1-13-241.000, and

WHEREAS title to said lands have since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$630.00 submitted by Charles R. Taylor, for the purchase of Parcels No. 1-13-240.000 and 1-13-241.000 is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Charles R. Taylor upon receipt of the above mentioned sum of money in cash only by the City Comptroller.

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

After the vote on the forgoing resolution, Councilman Simmons asked about the status of 227 Keyes Avenue.

Mr. Hiller explained that prior to the work sessions being canceled during the summer months, Council had received a memo re-evaluating the policy of City owned property. Council will have to get back to this in a work session this fall.

Councilman Simmons stated that Council needs to move ahead with this and asked that this be given priority for the next work session. Council members concurred.

INTRODUCED BY COUNCILMAN PAUL A. SIMMONS

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown Approves Amendment No. 34 to the Management Salary Plan, in order to establish the salary for the part time position of Fringe Benefit Manager, effective October 2, 2002:

Fringe Benefit Manager (Part Time) \$26.00 per hour

SECONDED BY COUNCILWOMAN ROXANNE M. BURNS

MOTION WAS MADE BY COUNCILMAN SIMMONS TO AMEND THE RESOLUTION TO BE EFFECTIVE OCTOBER 2, 2002 UNTIL DECEMBER 31, 2002 AT WHICH TIME COUNCIL WILL RE-ADDRESS IT.

MOTION WAS SECONDED BY COUNCILMAN CLOUGH 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 COUNCILMAN PETER L. CLOUGH

WHEREAS the City of Watertown has made application to the Federal Aviation Administration for funding under the Airport Improvement Grant Program, and

WHEREAS the City has received notification that the City and FAA need to enter into a Master Agreement of Terms and Conditions of Accepting Airport Improvement Program Grants prior to the release of any funding to the City of Watertown, and

WHEREAS the Master Agreement is a boilerplate document which details the terms and conditions of Accepting Airport Improvement Program grants from the FAA and these terms and conditions are applicable when the sponsor accepts a Grant Offer from the FAA,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Master Agreement of Terms and Conditions of Accepting Airport Improvement Program Grants, and

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

SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SMITH VOTING NAY

INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS

WHEREAS on January 7, 2002 the City Council of the City of Watertown adopted a resolution authorizing the City to enter into an agreement with Bernier Carr and Associates for the design of the Runway 10-28 Rehabilitation Project, and

WHEREAS that resolution was contingent on the City receiving \$150,000 from the Federal Aviation Administration in support of the project, and

WHEREAS the FAA has notified the City that they have now allocated a 90% grant in the amount of \$150,000 to support the design of a rehabilitation of Runway 10-28 at the Watertown International Airport,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves the Grant Agreement with the Federal Aviation Administration in the amount of \$150,000 to support the design of a rehabilitation of Runway 10-28 at the Watertown International Airport, and

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

SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SMITH VOTING NAY

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the City Purchasing Department has advertised and received sealed bids for the reconstruction of St. Mary's Street, Phase II and

WHEREAS invitations to bid were issued to nine (9) prospective bidders with two (2) bids being received, and

WHEREAS on Monday, September 9, 2002, at 11:00 a.m., the bids received were publicly opened and read, and

WHEREAS Robert J. Cleaver, City Purchasing Agent, and City Engineer Norman Liu reviewed the bids received and are recommending that the City Council accept the bid submitted by Barber Construction in the amount of \$298,724. as the lowest qualifying bid meeting the City's specifications,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by Barber Construction for the reconstruction of St. Mary's Street, Phase II, and

BE IT FURTHER RESOLVED that Mayor Joseph M. Butler is hereby authorized and directed to execute any contract documents in support of this award.

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

Commenting on the foregoing resolution, Mrs. Corriveau explained that this still is within the amount authorized by the Council.

INTRODUCED BY COUNCILMAN PAUL A. SIMMONS

WHEREAS Steven C. Daily of Red & White Auto Sales has made application for a Special Use Permit to allow a used car sales lot at 424-440 Arsenal Street, Parcels No. 7-05-206, 7-05-207 and 7-05-208, and

WHEREAS the Jefferson County Planning Board reviewed the request for the Special Use Permit at its meeting held on September 24, 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 September 3, 2002, and recommended that the City Council of the City of Watertown approved the request contingent upon the following, which will bring the proposed use into harmony with the standards set forth for Special Use Permits in Section 310-52.3 of the City Zoning Ordinance:

1. That a 6' wide landscaped buffer zone be installed and maintained around the perimeter of the entire property.
2. That two lights designed to shine downward and illuminate only the car lot area and not the neighboring properties be installed at the rear of the lot.
3. That a 6' wooden stockade fence be continued along the western property line and also installed along the northern property line.
4. That the hours of operation for the used car sales not be limited to 9 a.m.-8 p.m.
5. That no more than 25 cars be allowed on the lot at any one time.

And,

WHEREAS a public hearing was held on the proposed Special Use Permit on October 7, 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 a used car sales lot 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 Steven C. Daily of Red & White Auto Sales to allow a used car sales lot at 424-440 Arsenal Street, Parcels No. 7-05-206, 7-05-206 and 7-05-208.

SECONDED BY COUNCILWOMAN ROXANNE M. BURNS

MOTION WAS MADE BY COUNCILMAN CLOUGH TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING RESOLUTION FOR MONDAY, OCTOBER 7, 2002 AT 7:30 P.M.

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

INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS

WHEREAS the City of Watertown has made tree planting and the care and management of the City's urban forest a priority in the wake of several devastating storms in the 1990's, and

WHEREAS recent funding obtained from the USDA Forest Service has provided for the planting and care of hundreds of trees throughout the City, and

WHEREAS the City has developed a Summer Watering and Maintenance Program using previous grant awards to water and care for the newly planted trees to ensure their survival for years to come, and

WHEREAS Tree Watertown, the City's Street Tree Advisory Board, recommends that the City Council apply to the State for financial assistance to continue the Summer Watering and Maintenance Program, and

WHEREAS the City Council desires to continue the program in 2003, and

WHEREAS the New York State Department of Environmental Conservation has announced that funding is available through the Environmental Protection Fund and the United States Forest Service Urban Forestry Program for Urban and Community Forestry projects,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that the City Manager, Jerry C. Hiller, is hereby authorized and

directed to file an application for funds in an amount not to exceed \$2,600, and upon approval of said request to enter into and execute a Project Agreement with the New York State Department of Environmental Conservation for such financial assistance to the City of Watertown for the 2003 Urban Forest Summer Watering and Maintenance Program.

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

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the City of Watertown has funds on deposit with various banks, and

WHEREAS the City of Watertown makes withdrawals, transfers funds on deposit, and issues checks from various accounts, and

WHEREAS the City Comptroller or the Deputy City Comptroller is designated to perform these duties,

NOW THEREFORE BE IT RESOLVED that City Comptroller James E. Mills or Deputy City Comptroller Bonnie L. Robbe is hereby authorized to make withdrawals, transfer funds on deposit, and issue checks in the name of the City of Watertown, and

BE IT FURTHER RESOLVED that any check authorized to be drawn in the name of the City of Watertown may be signed with the facsimile or original signature of the City Comptroller James E. Mills or the facsimile or original signature of Deputy Comptroller Bonnie L. Robbe.

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

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

ORDINANCES

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

BE IT ORDAINED that Chapter 293 of the City Code of the City of Watertown is amended to add the following:

§ 293-58. Schedule X., Stop Intersections

Stop Sign On	Direction of Travel	At Intersection Of
Green Street	Both	School Street

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 COUNCILWOMAN ROXANNE M. BURNS

Unanimous consent moved by Councilman Simmons, seconded by Councilman Clough and carried with all voting in favor thereof.

Councilman Smith asked on what basis this was being recommended.

Mr. Hiller explained that the school board had asked the City to look at this intersection to see if it warranted a stop sign. City staff looked it into and NYS DOT conducted a cursory examination. Based on the findings, Chief Piche agreed that a stop sign was warranted.

MOTION TO TABLE THE FOREGOING ORDINANCE WAS MADE BY COUNCILMAN SIMMONS, SECONDED BY COUNCILMAN CLOUGH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

**** ** * * ****

COUNCIL DISCUSSED THE FOLLOWING TOPICS

Green Street

Councilman Clough commented that at a prior Council meeting the City Manager had been directed by Council to meet with Mr. Reardon.

Mr. Hiller explained that the school board committee had recommended a design and the committee was hesitant to have a public meeting with the residents. He stated that he had advised Mr. Reardon that if the committee was reluctant to have a public meeting, the City would have the meeting and school representatives could be present. He explained that the design has green space as well as bump-out islands. He also commented that the Rotary Club would be contacted about tree plantings.

Councilman Clough remarked that he still stands by the fact that this area should have been changed back in June.

Mr. Hiller commented that it was the committee that was reluctant to meet with the public, not Mr. Reardon.

Councilman Simmons commented that he was on Green Street this weekend and the blacktop area makes it much easier to get through when cars are parked for football games. He also advised that the finance facilities committee had asked for copies of the Council minutes where this was previously discussed. He will be supplying the minutes to the committee.

Councilman Clough responded that there were concerns by this Council two years ago regarding what would happen when the construction was done. He stated that if the school board is making decisions on their own without input from the residents, then the City should meet with the residents.

Councilman Simmons remarked that wasn't what he was told by a member of the committee.

Councilman Smith stated that there appears to be a lot of foot dragging on this issue. He commented that if the school board wishes to do something different than putting it back the way it was, the residents should have input.

Mayor Butler commented that Council wants to make sure that there is a meeting with the residents.

Mr. Hiller responded that there would be a meeting. However, it may not be with the school board, but school representatives will be present.

Councilman Smith asked if the school needs permits to put in curb cuts and the new entrance onto Washington Street.

Attorney Slye explained that the City Engineering Department issues those permits as outlined in the City Code.

NESNID Strategic Planning Work Shop

Mayor Butler advised that this workshop would be held on Saturday, September 22nd from 9 a.m. to 1 p.m. He encouraged Council members to attend.

Mrs. Corriveau explained that invitations had been sent out to the residents of the area.

Woodruff II Site –Iron Block Buildings/Development at City’s Industrial Park

Mayor Butler commented that local developers want to put up a building for office space at the Woodruff II site and this would also include the iron block buildings. He asked if Council members felt that the Watertown Trust should take over the development of the properties and coordinate it. He asked for the pros and cons from Council members. He also commented that he would like input from the Council concerning the Trust proceeding with the development of the four-acre site in the City’s Industrial Park. Plans have been made to put up a building for a Canadian company that needs to have a location in the United States due to U.S. Defense contracts. They want to start the building by October 1st. It would be funded through the Trust and Lunco Corp. would be constructing the building.

Mayor Butler explained that if the Trust takes charge of the development, they could then establish a revolving fund for future developments.

Mr. Hiller commented that the development group for downtown wants to remain unknown and are currently looking at a variety of development scenarios. The industrial park is a longer-term picture and raises the question of who should be responsible for overseeing the development of the industrial park. He also remarked that the Trust has stepped up to the plate before and it seemed like a logical choice to have them involved in the development. He also commented that the Trust is willing and they have the resources. The City staff also will have a role to play in these projects.

Councilwoman Burns asked about the funding for the shell building at the park.

Mayor Butler explained that the Trust made the decision to put up the shell building and in doing so contracted with Lunco to construct it. Mayor Butler asked Mr. Hiller if Lunco would be holding the lease.

Mr. Hiller commented that it is scheduled for discussion at this week’s Trust meeting.

Mayor Butler advised Council that what he was looking for consensus from the Council on letting the Trust proceed with the Woodruff II site and the iron block buildings.

Councilman Smith remarked that the difference between the Woodruff and industrial park is that the park has definite plans. We know what the development will be. However, there are no such plans, no financing and no known developers for the downtown site. He also commented that he felt that different standards were being set from in the past.

Mayor Butler commented that even if he had been asked 6 months ago, he would have felt that the Trust would have been the best entity to develop downtown. They have the resources to attract developers.

Mr. Hiller explained that two years ago the Trust didn't have the capital to develop property. They were a secondary lending source. Now, the Trust has been re-engineering their focus on development.

Mayor Butler answered questions posed by Councilman Smith concerning the Trust.

Councilman Simmons commented that if this is turned over to the Trust, the deals will get done quicker and money will get reinvested.

Councilman Smith commented that he feels that this is a transfer sale of City property and Council can ask for the purpose and reasons. He also commented that in the past, Council has always wanted to know what the land was going to be used for. He questioned why the standard of asking those questions has been removed from the downtown property.

Attorney Slye reminded Council that whatever is decided by a consensus this evening is not binding.

Councilman Simmons stated that he supports using the Trust.

Councilwoman Burns commented that she feels it would be a positive thing to have the Trust move forward with the building at the industrial park as it makes sense to have the people charged with economic development promoting the City's property. She asked Mayor Butler if he envisioned the Trust working with the Downtown Development Board on the Woodruff II site since the Council has asked the board to look at the iron block buildings and to come back with recommendations.

Mayor Butler remarked that two members of the Downtown Development Board are also members of the Trust and he would envision the board and the Trust working together.

Councilman Clough stated that he has a problem with putting the entire industrial park under the Trust, but could support the four-acres. He stated that the City's industrial park has sat with just one tenant while businesses have been going up to the County industrial park. He stated that with the shell building up, it is an opportunity for the City to see something happen. He also commented that he still has doubts as to whether the iron block buildings are even salvageable, as it needs to be studied and a decision made one way or the other. He remarked that the Trust would have the funds to determine if the buildings could be saved or if they have to come down. If they do need to be demolished, it would be the taxpayer that would have to pay the bill. He stated that he feels the Trust is a Watertown board that has the best interest of the City at heart. He commented that he would support the Trust on the Woodruff II site if it were understood that the iron block buildings are included with it.

Councilwoman Burns responded that the problem is the fact that the City does not own the third building.

Mayor Butler commented that it is the Trust's intention to do a feasibility study.

Councilman Smith reiterated his concerns for the fact that there is no plan for this development. He stated that if the Trust wants to purchase the property, it should be placed on the agenda and then they should have to bring it up to Code within a year like everyone else.

Mayor Butler remarked that he is merely looking for a consensus as to where a letter of intent should be filed – with the City or with the Trust. He then polled the Council with the question of the Trust being allowed to accept the letter of intent and to pursue development with the Trust. Councilwoman Burns, Councilman Simmons and Mayor Butler all voted yes. Councilman Clough voted yes with the stipulation that he previously mentioned. Councilman Smith voted yes for the industrial park, but no for the downtown site.

Councilman Smith questioned why they even need Council's permission. He stated that Stream didn't come to Council.

Mayor Butler explained that Stream did have certain issues come before Council.

Stream International

Mr. Hiller advised that Stream was now taking over the entire parking lot.

CSEA Negotiations

Mr. Hiller advised that negotiations are ongoing.

Airport Grants

Mrs. Corriveau asked that when Council adjourns that they do so to the work session of Sept. 23rd as there may be two airport grants that need to come before Council next week.

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED TO MONDAY, SEPTEMBER 23, 2002 AT 7 P.M. BY MOTION OF COUNCILMAN SMITH, SECONDED BY COUNCILMAN CLOUGH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton, City Clerk