

**CITY COUNCIL MEETING  
CITY OF WATERTOWN  
November 5, 2012  
7:00 p.m.**

**Mayor Jeffrey E. Graham Presiding**

**Present:** Council Member Roxanne M. Burns  
Council Member Joseph M. Butler, Jr.  
Council Member Teresa R. Macaluso  
Council Member Jeffrey M. Smith  
Mayor Graham

**Also Present:** Sharon Addison, City Manager  
Robert J. Slye, City Attorney

**City staff present:** Elliott Nelson, Jim Mills, Ken Mix, Kurt Hauk, Erin Gardner, Amy Pastuf, Beth Morris, Barbara Wheeler, Brian Phelps, Chief Herman, Peter Keenan

The City Manager presented the following reports to Council:

- Resolution No. 1 - Approving the Agreement Between The City of Watertown and Loomacres Wildlife Management to Establish and Administer a Winter Crow Roost Dispersal Program
- Resolution No. 2 - Adopting Guidelines and Administrative Procedures for the HOME Repair Program
- Ordinance No. 1 - Amending City Municipal Code Section 293-61, Schedule XIII, Parking Prohibited at All Times
- Ordinance No. 2 - Changing the Approved Zoning Classification of 63 Properties, Between Main Street West and the Black River, in Order to Conform to The Local Waterfront Revitalization Program
- Public Hearing - Resolution Approving a Special Use Permit Request to Operate an Automobile Sales Lot in a Neighborhood Business District at 808 Main Street West, Parcel 1-16-205.001
- Tabled - Resolution Authorizing Sale of Real Property, Known as 60 Woodley Street to William Martin, 576 Snell Street, Watertown, New York 13601
- Board and Commission Appointments
- Letter From Small Business Development Center

**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 October 15, 2012 was dispensed and accepted as written by motion of Council Member Roxanne M. Burns, seconded by Council Member Jeffrey M. Smith and carried with all voting in favor thereof.

## **COMMUNICATIONS**

No Communications.

## **PRIVILEGE OF THE FLOOR**

**Wayne Zimmer** addressed the chair concerning the crosswalk in front of the Woolworth Building. He stated that it was not working well.

## **PUBLIC HEARING**

**At 7:30 p.m. Mayor Graham asked the City Clerk to read the notice of Public Hearing Concerning Approving a Special Use Permit Request to Operate an Automobile Sales Lot in a Neighborhood Business District at 808 Main Street West, Parcel 1-16-205.001**

**Mayor Graham declared the hearing open at 7:30 p.m.**

No one spoke.

**Mayor Graham declared the hearing closed at 7:30 p.m.**

## **RESOLUTIONS**

**Resolution No. 1 - Approving the Agreement Between The City of Watertown and Loomacres Wildlife Management to Establish and Administer a Winter Crow Roost Dispersal Program**

**Introduced by Council Member Jeffrey M. Smith**

WHEREAS the City of Watertown desires to work with Loomacres Wildlife Management regarding professional services to help alleviate the nuisance of crows within the City and to administer a crow dispersal program, and

WHEREAS the City of Watertown has an urban crow roost that is a threat to human health and safety, causes damage to buildings and cars and results in associated clean up costs, and

WHEREAS, Loomacres Wildlife Management uses multiple hazing methods including

distress calls, pyrotechnics, remote controlled aircraft, and lasers with the objective of reducing winter crow roosts, and

WHEREAS by using this strategy, the crows should relocate to an alternative, more suitable roosting site, reducing local conflicts associated with an urban crow roost, and

WHEREAS, the City of Watertown has prepared an Agreement, a copy of which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement between the City of Watertown and Loomacres Wildlife Management to establish and administer a crow dispersal program, and

BE IT FURTHER RESOLVED that the City Council hereby authorizes and directs the City Manager, Sharon Addison, to execute the Agreement on behalf of the City of Watertown.  
**Seconded by Council Member Teresa R. Macaluso**

Prior to the vote on the foregoing resolution, Council Member Butler stated that he supports this initiative as he has in the past but would like to amend item 2 in Attachment A – Workplan of the agreement.

**Motion was made by Council Member Joseph M. Butler, Jr. to amend item 2 in Attachment A – Workplan of the agreement to eliminate the word “non-lethal” and replace it with the wording “all available means necessary”. Motion was seconded by Council Member Jeffrey M. Smith.**

Prior to the vote on the amendment for foregoing resolution, Council Member Burns asked Council Member Butler to clarify “all available means”.

Council Member Butler responded that this would pertain to lethal and non-lethal methods at the discretion of Loomacres Wildlife Management. He stated that the Historical Society has spent a tremendous amount of money trying to remove the fecal matter and that the property is being destroyed. He said that the City is at a point in time that it needs to be aggressive as it can and he spoke to a gentleman from this company and this is possible.

Council Member Burns remarked that she appreciates the amendment and agrees with Council Member Butler.

Council Member Butler stressed that lethal means would be used as a last resort.

**At the call of the chair, a vote was taken on the amendment for the foregoing resolution and carried with all voting yea except Mayor Jeffrey E. Graham voting nay.**

Council Member Butler also pointed out that item 5 in Attachment A – Workplan of the agreement listed the dates “2011 – 12” instead of “2012 – 13”.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**Resolution No. 2 - Adopting Guidelines and Administrative Procedures for the HOME Repair Program**

**Introduced by Council Member Jeffrey M. Smith**

WHEREAS the City of Watertown has received HOME Funding from the North Country HOME Consortium to support a City-wide rehabilitation program for owner-occupied 1-4 family properties, and

WHEREAS the City has agreed to administer the program in compliance with the rules and regulations established by HUD and published in the Code of Federal Regulations at 24CFR Part 570, and

WHEREAS guidelines and administrative procedures have been drafted as required to govern the operation of the HOME repair program,

NOW THEREFORE BE IT RESOLVED the proposed Guidelines and Administrative Procedures are hereby adopted and shall become effective immediately for all housing rehabilitation activities conducted with HOME Funding provided by the North Country HOME Consortium for program years 2012 and 2013.

**Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.**

**Motion was made by Council Member Jeffrey M. Smith to take from the table the resolution “Authorizing Sale of Real Property, Known as 60 Woodley Street to William Martin, 576 Snell Street, Watertown, New York 13601” (Introduced on 10/15/2012; tabled; appears in its entirety on page 275 – 276 of the 2012 Minutes Book). Motion was seconded by Council Member Teresa R. Macaluso and carried with all voting yea.**

James Mills, City Comptroller explained that Mr. Martin has subsequently paid his taxes but no longer is interested in the property.

**At the call of the chair, a vote was taken on the foregoing resolution and it was defeated with all voting nay.**

**The Resolution “Approving a Special Use Permit Request to Operate an Automobile Sales Lot in a Neighborhood Business District at 808 Main St. West, Parcel 1-16-205.001” (Introduced on 10/15/2012; public hearing held this evening; appears in its entirety on page 267 of the 2012 Minutes Book).**

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

## ORDINANCES

### **Ordinance No. 1 - Amending City Municipal Code Section 293-61, Schedule XIII, Parking Prohibited at All Times**

#### **Introduced by Council Member Jeffrey M. Smith**

BE IT ORDAINED that Section 293-61 of the City Code of the City of Watertown is hereby amended by adding the following:

§ 293-61. Schedule XIII: Parking Prohibited at All Times.

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Jefferson Street	Both	From High Street to a point 50 feet west thereof

and,

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

#### **Seconded by Council Member Joseph M. Butler, Jr.**

**Motion for unanimous consent moved by Council Member Jeffrey M. Smith, seconded by Council Member Joseph M. Butler, Jr. and carried with all voting in favor thereof**

**At the call of the chair, a vote was taken on the foregoing ordinance and carried with all voting yea.**

### **Ordinance No. 2 - Changing the Approved Zoning Classification of 63 Properties, Between Main Street West and the Black River, in Order to Conform to The Local Waterfront Revitalization Program**

#### **Introduced by Council Member Roxanne M. Burns**

BE IT ORDAINED where certain changes to Zoning District boundaries are required in order to implement the City of Watertown's Local Waterfront Revitalization Program, and

WHEREAS City Staff have submitted a request to change the approved zoning classification of certain properties between the Black River and Main Street West, and

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its meeting held on October 2, 2012, and adopted a motion recommending that the City Council approve the zone changes as requested, and

WHEREAS the Jefferson County Planning Board reviewed the request at its September

25, 2012 meeting and determined that the proposal has no inter-municipal or county-wide issues and is of local concern only, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change, and

WHEREAS a public hearing was held on the proposed zone change on November 5, 2012, after due public notice, and

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

NOW THEREFORE BE IT ORDAINED that the zoning classification of the following parcel is hereby changed to **Residence C District**:

1-17-103.000	815 ANNE ST
1-17-104.000	811 ANNE ST
1-17-204.000	839 ANNE ST
1-17-205.000	835 ANNE ST
1-17-206.000	831 ANNE ST
1-17-207.000	827 ANNE ST
1-17-208.000	823 ANNE ST
1-17-301.000	859 ANNE ST
1-17-302.000	855 ANNE ST
1-17-303.000	855 ANNE ST
1-17-304.000	843 ANNE ST
1-17-504.000	818 ANNE ST
1-17-505.000	822 ANNE ST
1-17-506.000	826 ANNE ST
1-17-507.000	830 ANNE ST
1-17-508.000	834 ANNE ST
1-17-510.000	840 ANNE ST
1-17-511.000	844 ANNE ST
1-17-512.000	848 ANNE ST
1-17-513.000	M54 ANNE ST
1-17-533.000	487 POPLAR ST
1-17-535.000	481 POPLAR ST

And,

BE IT FURTHER ORDAINED that the zoning classification of each of the parcels in the following list is hereby changed to **Neighborhood Business District**:

1-01-301.001	557 REAR MAIN ST W
1-01-302.000	549 MAIN ST W
1-01-305.000	531 MAIN ST W
1-14-101.000	412 MAPLE AVE
1-14-103.000	418 MAPLE AVE
1-14-104.000	424 MAPLE AVE
1-14-105.000	428 MAPLE AVE
1-14-106.000	432 MAPLE AVE

1-14-107.000 432 MAPLE AVE  
1-14-108.000 440 MAPLE AVE  
1-14-111.100 729 MAIN ST W  
1-17-403.000 925 MAIN ST W  
1-17-515.000 466 HOLLY ST  
1-17-516.000 466 HOLLY ST  
1-17-519.000 877 MAIN ST W  
1-17-520.000 871 MAIN ST W  
1-17-521.000 867 MAIN ST W  
1-17-522.000 861 MAIN ST W  
1-17-523.000 855 MAIN ST W  
1-17-524.000 851 MAIN ST W  
1-17-525.000 845 MAIN ST W  
1-17-526.000 833 MAIN ST W  
1-17-527.000 833 MAIN ST W  
1-17-528.000 827 MAIN ST W  
1-17-529.000 819 MAIN ST W

And,

BE IT FURTHER ORDAINED that the zoning classification of each of the parcels in the following list is hereby changed to **Commercial District**:

1-18-101.001 VL-4 VANDUZEE ST  
1-18-103.000 470 VANDUZEE ST  
1-18-103.001 444 VANDUZEE ST  
1-18-104.000 476 VANDUZEE ST  
1-18-105.000 VL MAIN ST W  
1-19-101.000 471 VANDUZEE ST  
1-19-101.001 471 VANDUZEE ST  
1-19-102.000 475 VANDUZEE ST  
1-19-103.000 VL-6 VANDUZEE ST  
1-19-103.001 1003 MAIN ST W  
1-19-104.000 VL-8 VANDUZEE ST  
7-08-204.000 532 COFFEEN ST

And,

BE IT FURTHER ORDAINED that the zoning classification of each of the parcels in the following list is hereby changed to **Light Industrial District**:

1-14-121.000 591 REAR MAIN ST W  
1-14-125.000 611 MAIN ST W  
77-01-001.000 1 CONRAIL (only the portion between Main Street West and the Black River)

And,

BE IT FURTHER ORDAINED that parcel 1-14-301, a part of the property known as 753 Rear Main Street West, located along the bank of the Black River, is hereby changed to **Waterfront District**, and

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

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

**Seconded by Council Member Joseph M. Butler, Jr.**

**Motion was made by Council Member Roxanne M. Burns to schedule a Public Hearing on the foregoing ordinance for Monday, November 19, 2012 at 7:30 p.m. Motion was seconded by Council Member Joseph M. Butler, Jr.**

Prior to the vote on the motion to set a public hearing, Council Member Butler referenced the request from Mr. Boulrice for his property to change to Neighborhood Business District (NBD).

**Kenneth Mix**, Planning Coordinator explained that Mr. Boulrice was not able to request this prior to the Planning Board Meeting so the ordinance does not reflect this request but Council has the ability to amend it. He described the location of this property and suggested that two other properties be changed to NBD as well so that it is contiguous with that district.

Mayor Graham asked for the procedural means to amend this since it has already been introduced and the public hearing has been set.

Attorney Slye replied that if this is the only change then it can be amended prior to voting on it after the public hearing.

Mayor Graham asked that staff identify the parcels in a staff report in order for Council to make the amendment.

Council Member Butler questioned the total number of parcels.

Mr. Mix clarified why the number of parcels on the ordinance was different than the number referenced by the Planning Board.

**At the call of the chair, a vote was taken on the motion to set a public hearing and carried with all voting yea.**

## **DISCUSSIONS**

### **Board and Commission Appointments**

Council Member Butler asked Ms. Addison to contact Mr. Stever, Mr. Richardson and Mr. St. Croix to see if they are interested in continuing on the Board of Ethics.

In regards to the two remaining positions on the Board of Ethics, Mayor Graham commented that this board sometimes deals with issues involving this Elected Body. He stated that he is hesitant to have people directly subordinate to Council sit on this board because it might create a situation that is awkward.

Council Member Burns agreed and thinks it should be someone from outside the organization.

Attorney Slye told Council that the City Code states that one member must be a City Officer or employee but this could be changed through an ordinance or local law.

Mayor Graham stated that this should be looked at and Council concurred.

In regards to the other boards, Council Member Butler asked that the individuals having expiring terms should be contacted to see if there is an interest in continuing in their position.

Mayor Graham stated that the Plumbing Board tends to be a recommendation from the Code Department. He also indicated that he would contact Ms. Holberg.

#### **Letter From Small Business Development Center**

A letter was available for Council's review.

#### **Clinton Street Reconstruction**

Council Member Burns thanked the contractors and workers for making this project as painless as possible to everyone. She stressed that this will be a beautiful project once it is done and that all the workers involved are doing the best that they can to make the best of a somewhat uncomfortable situation.

Council Member Butler agreed with Council Member Burns and wanted to ensure that National Grid would install new lights and poles on the street.

#### **Thompson Boulevard Curbing**

Council Member Butler thanked Gene Hayes, Superintendent of DPW for completing this work and stated that it made the residents very happy.

#### **Management Software**

Council Member Butler noted that the proposal was received and that he would like more information on this.

Ms. Addison indicated that a staff report will be done.

### **Flower Avenue West**

Council Member Butler asked that the 300 and 400 blocks of Flower Avenue West be considered for the sidewalk program.

### **Flower Memorial Library**

Council Member Butler asked for a report on the extended hours.

**Barbara Wheeler**, Library Director informed Council that 170 people came on the first Sunday and 431 people came yesterday which might have been affected by the book sale. She indicated that the usage is steadily increasing.

### **Privateers**

Council Member Butler stated that he attended the opening night for the Privateers and thought that it went well. He thanked Erin Gardner and her staff for a job well done.

### **CanRx**

Council Member Butler asked for an update on the CanRx program.

Ms. Addison indicated that a report is planned for the November 19<sup>th</sup> meeting.

### **Intersection of Massey Street and Stone Street**

Council Member Macaluso reported that she has had complaints that the light at this intersection is not changing during the early morning.

### **Blood Drive**

Mayor Graham reminded Council that the City is holding a Blood Drive on Friday, November 16<sup>th</sup>.

### **Parks and Recreation Software**

Mayor Graham mentioned that the members of Council would be interested in viewing this software whether it is collectively or individually.

### **Aviary**

Mayor Graham noted that there has not been any discussion on the Aviary since there has not been any formal contact between the City and the Zoo.

**DEC and DOH Meeting with Northside Residents**

Ms. Addison told Council that the DEC and DOH will be meeting on Wednesday to further discuss the pollution from the NY Airbrake. The public meeting will be held in the evening at North Elementary School.

**A D J O U R N M E N T**

**At the call of the chair, meeting was duly adjourned at 7:33 p.m. by motion of Council Member Joseph M. Butler, Jr., seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.**

*Ann M. Saunders*

City Clerk