

**CITY COUNCIL MEETING  
CITY OF WATERTOWN  
November 18, 2013  
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:** Ken Mix, Beth Morris, Brian Phelps, Mike Sligar, Amy Pastuf, Chief Herman, Deputy Chief Randall, Justin Wood, Pete Keenan

The City Manager presented the following reports to Council:

- Resolution No. 1- Waive Connection Fee for Water and Sewer Service at 123 East Lynde Street, Owned by Thousand Islands Area Habitat Humanity
- Resolution No. 2 - Reappointment of City Constable, Patricia J. Hennegan
- Resolution No. 3 - Reappointment of Deputy City Constable, Michael J. Hennegan
- Resolution No. 4 - Reappointment to Community Action Planning Council, Thomas J. Bruno
- Resolution No. 5 - Reappointment to Community Action Planning Council, Christina E. Stone
- Resolution No. 6 - Reappointment to Community Action Planning Council, Stanley Zaremba
- Resolution No. 7 - Reappointment to Board of Ethics, Jean A. Bilow
- Resolution No. 8 - Reappointment to Board of Ethics, Rande S. Richardson
- Resolution No. 9 - Reappointment to Board of Ethics, James D. St. Croix
- Resolution No. 10 - Appointment to Board of Ethics, Brian S. Phelps
- Resolution No. 11 - Approving the Site Plan for Construction of a 3,300 Square Foot Car Wash at 142 Eastern Boulevard, parcel 5-16-325
- Resolution No. 12 - Approving the Site Plan for Construction of a 1,090 Square Foot Building Addition, Plus Parking Area and Drive Through Lane, at 1279 Coffeen Street, Parcel 8-40-101.006
- Resolution No. 13 - Approving A Special Use Permit Request to Operate a Self Storage Facility in a Commercial District at 144 Eastern Boulevard, Parcel 5-16-320.100
- Resolution No. 14 - Authorizing an Application to the New York State Department of Environmental Conservation for Funding Through the Urban and Community Forestry Program
- Resolution No. 15 - Authorizing Application for Federal Emergency Management Agenda (FEMA) Grant, Fire Department
- Resolution No. 16 - Accepting Bid for Administration of Section 125 Plan, Benefit Services Group
- Resolution No. 17 - Authorizing the Sale of Parcels No.7-01-112.003 and 7-01-114.001 to Neighbors of Watertown, Inc.
- Resolution No. 18 – Reappointment to Board of Ethics, Arthur C. Stever III
- Resolution – Establishing Administrative Specialist Position

- Resolution – Amendment No. 91 to the Management and Management Confidential Pay Plan
- Ordinance No. 1 - Changing the Approved Zoning Classification of VL1 Indiana Avenue North, Parcel 6-16-107, From Light Industrial to Residence B
- Addressing the Human Resource Management Gap
- Surplus Sale Results Fall of 2013

**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 November 4, 2013 was dispensed and accepted as written by motion of Council Member Jeffrey M. Smith, seconded by Council Member Joseph M. Butler, Jr. and carried with all voting in favor thereof.

## **COMMUNICATIONS**

A petition was received requesting a bus shelter at Hilltop Towers Apartment Building, 113 West Main Street.

## **PRIVILEGE OF THE FLOOR**

No one spoke.

## **RESOLUTIONS**

**Resolution No. 1 – Waive Connection Fee for Water and Sewer Service at 123 East Lynde Street, Owned by Thousand Islands Area Habitat for Humanity**

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

RESOLVED that the City Council of the City of Watertown hereby waives the fee for the connections associated with water and sewer service at the home owned by Thousand Islands Area Habitat for Humanity located at 123 East Lynde Street.

**Seconded by Council Member Teresa R. Macaluso**

Prior to the vote on the foregoing resolution, Mayor Graham stated that the concrete pad was poured and construction is scheduled to begin in the spring. He said that he appreciated the efforts of Habitat for Humanity.

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

**Resolution No. 2 – Reappointment of City Constable, Patricia J. Hennegan**

**Introduced by Council Member Teresa R. Macaluso**

RESOLVED that the following individual is hereby reappointed as City Constable for the City of Watertown, for a one-year term expiring on December 31, 2014:

Patricia J. Hennegan  
16820 Dry Hill Road  
Watertown, New York 13601

**Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.**

**Resolution No. 3 – Reappointment of Deputy City Constable, Michael J. Hennegan**

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

RESOLVED that the following individual is hereby reappointed as Deputy City Constable for the City of Watertown, for a one-year term expiring on December 31, 2013:

Michael J. Hennegan  
16820 Dry Hill Road  
Watertown, New York 13601

**Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.**

**Resolution No. 4 – Reappointment to Community Action Planning Council, Thomas J. Bruno**

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

RESOLVED that the following individual is hereby reappointed to the Jefferson County Community Action Planning Council for a two-year term expiring on December 31, 2015, and

BE IT FURTHER RESOLVED that the following individual is hereby the official designee of City Council Member Teresa M. Macaluso in his appointment to the Jefferson County Community Action Planning Council:

Thomas J. Bruno  
148 Francis Street  
Watertown, NY 13601

**Seconded by Council Member Teresa R. Macaluso**

Prior to the vote on the foregoing resolution, Council Member Smith mentioned that Mr. Bruno recently moved to a different address within the City.

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

**Resolution No. 5 – Reappointment to Community Action Planning Council, Christina E. Stone**

**Introduced by Council Member Teresa R. Macaluso**

RESOLVED that the following individual is hereby reappointed to the Jefferson County Community Action Planning Council for a two-year term expiring on December 31, 2015 and

BE IT FURTHER RESOLVED that the following individual is hereby the official designee of Mayor Jeffrey E. Graham in her appointment to the Jefferson County Community Action Planning Council:

Christina E. Stone  
20258 County Route 63  
Watertown, NY 13601

**Seconded by Council Member Jeffrey M. Smith and carried with all voting yea.**

**Resolution No. 6 – Reappointment to Community Action Planning Council, Stanley Zaremba**

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

RESOLVED that the following individual is hereby reappointed to the Jefferson County Community Action Planning Council for a two-year term expiring on December 31, 2015, and

BE IT FURTHER RESOLVED that the following individual is hereby the official designee of City Council Member Joseph M. Butler, Jr. in his appointment to the Jefferson County Community Action Planning Council:

Stanley Zaremba  
505 Franklin Street  
Watertown, NY 13601

**Seconded by Council Member Jeffrey M. Smith and carried with all voting yea.**

**Resolution No. 7 – Reappointment to Board of Ethics, Jean A. Bilow**

**Introduced by Council Member Teresa R. Macaluso**

RESOLVED that the following individual is hereby reappointed to the Board of Ethics for a one-year term expiring on December 31, 2014:

Jean A. Bilow  
Fairway West – Unit C2  
522 Weldon Drive  
Watertown, New York 13601

**Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.**

**Resolution No. 8 – Reappointment to Board of Ethics, Rande S. Richardson**

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

RESOLVED that the following individual is hereby reappointed to the Board of Ethics for a one-year term expiring on December 31, 2014:

Rande S. Richardson  
269 Flower Avenue West  
Watertown, New York 13601

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

**Resolution No. 9 – Reappointment to Board of Ethics, James D. St. Croix**

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

RESOLVED that the following individual is hereby reappointed to the Board of Ethics for a one-year term expiring on December 31, 2014:

James D. St. Croix  
636 Davidson Street  
Watertown, New York 13601

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

**Resolution No. 10 – Appointment to Board of Ethics, Brian S. Phelps**

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

RESOLVED that the following individual is hereby appointed to the Board of Ethics for a one-year term expiring on December 31, 2014:

Brian S. Phelps  
411 Dimmick Street  
Watertown, New York 13601

**Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.**

**Resolution No. 11 – Approving the Site Plan for Construction of a 3,300 Square Foot Car Wash at 142 Eastern Boulevard, Parcel 5-16-325**

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

WHEREAS Tim Hogan, PE has submitted a request for site plan approval for the construction of 3,300 square foot car wash at 142 Eastern Boulevard, parcel 5-16-325, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on November 5, 2013, and voted to recommend that the City Council of the City of Watertown approve the site plan with the following conditions:

- 1) The applicant shall provide revised drawings printed to the marked scale.
- 2) The applicant shall provide proof of an easement allowing construction of the landscaped island on Northland Plaza's property, just north of the project site. The curbing on the parking lot side of the island must be moved out of the Columbia Street right-of-way.
- 3) The applicant shall depict the adjacent off-site parking areas so that traffic flow around the project site can be analyzed.
- 4) The applicant shall delete the erroneous radii dimensions from the plan.
- 5) The applicant shall provide an off-site utility plan for the sanitary sewer connection.
- 6) The applicant shall provide details for the dry well, and for the concrete apron around the existing catch basin.
- 7) The applicant shall show rim and invert elevations for the storm manhole at the northwest corner of the site, and depict the location and invert of the 18" pipe outlet to the south of the property.
- 8) The applicant shall depict the existing storm sewer system in Eastern Blvd, including pipe sizes, types, and inverts.
- 9) The applicant shall show the existing elevation contours on the drainage plan.

- 10) The applicant shall shift the vacuums and light poles so that they are 5' minimum clear distance from the existing storm sewer pipe, and not within the City's storm sewer easement.
- 11) The applicant shall widen the landscaped island along the eastern property line to accommodate a minimum 8' width planting strip, planted with trees in conformance with the Landscaping and Buffer Zone Guidelines.
- 12) The applicant shall revise the landscaping plan to show all tree removals and planting quantities, and include a tree protection detail if applicable. The landscaping plan shall be submitted to the City Engineer for approval prior to the issuance of a building permit. All depicted landscaping shall be installed prior to issuance of a Certificate of Occupancy.
- 13) The applicant shall provide proof of a crossing easement over the plaza property to the north and east, and a sewer easement for the sanitary line, prior to issuance of a building permit.
- 14) The applicant shall revise the plan to show the side yard setback from the property line, not the easement line.
- 15) The applicant must provide the following details: Concrete Curb, Pavement within the Right-of-Way, and Sign Detail.

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 an Unlisted Action 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 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 that it is an express condition of this site plan approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Code Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Code Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that site plan approval is hereby granted to Tim Hogan, PE for the construction of a 3,300 square foot car wash at 142 Eastern Boulevard, parcel 5-16-325, as shown on the site plans submitted to the City Engineer on November 13, 2013, which satisfied conditions 4, 6, 7, 8, 9, 10, 14, and 15, contingent on the applicant making the remaining revisions and meeting the remaining conditions recommended by the Planning Board.

**Seconded by Council Member Roxanne M. Burns**

Prior to the vote on the foregoing resolution, Council Member Butler asked if this car wash would be open 24 hours a day, 7 days a week and wondered if there would be increased traffic activity as a result. He questioned the location and asked if there were any concerns from the surrounding property owners.

Ken Mix, Planning Coordinator explained that this is next to Sunshine Dental on the left side. He stated that one property owner's attorney was present at the Planning Board but he did not express any concerns with this project. He further explained that the wash bays will face the street and that the traffic flow will go through the Columbia Street entrance to the plaza.

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

**Resolution No. 12 – Approving the Site Plan for Construction of a 1,090 Square Foot Building Addition, Plus Parking Area and Drive Through Lane, at 1279 Coffeen Street, Parcel 8-40-101.006**

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

WHEREAS Scott Shearing of Bohler Engineering has submitted a request for site plan approval for the construction of a 1,090 square foot building addition, plus parking area and drive through lane, at 1279 Coffeen Street, parcel 8-40-101.006, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on November 5, 2013, and voted to recommend that the City Council of the City of Watertown approve the site plan with the following conditions:

1. The applicant shall install a sidewalk adhering to City specifications along the Coffeen Street right-of-way.
2. The applicant shall depict the proposed building lights on the south and east sides of the building, and ensure that spillage across property lines is limited to 0.5 foot candles or less at ground level.
3. The applicant shall depict water and sewer services on the survey and site plan.
4. The applicant shall revise the landscaping plan the better comply with the Landscaping and Buffer Zone Guidelines, including a minimum of 4 large-maturing trees along the eastern property line, and 1 large-maturing tree along the Coffeen Street margin. The applicant shall submit the revised plan to the City Engineer for approval prior to issuance of a building permit.
5. The applicant shall shift the HVAC equipment to the west and surround the pad with evergreen shrubs.
6. The applicant shall mark the western curb cut on Coffeen Street as "right turn only."

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 an Unlisted Action 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 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 that it is an express condition of this site plan approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Code Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Code Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that site plan approval is hereby granted to Scott Shearing of Bohler Engineering for the construction of a 1,090 square foot building addition, plus parking area and drive through lane, at 1279 Coffeen Street, parcel 8-40-101.006, as shown on the site plans submitted to the City Engineer on November 8, 2013, which satisfy conditions 3, 4, 5, and 6 listed above, contingent on the applicant making the revisions and meeting the remaining conditions recommended by the Planning Board.

**Seconded by Council Member Teresa R. Macaluso**

Prior to the vote on the foregoing resolution, Council Member Butler questioned the traffic flow and its impact on Coffeen Street.

Scott Shearing, Bohler Engineering explained that the addition of a coffee shop with a drive through will increase their customer base in the morning causing increased traffic turning right out of the property onto Coffeen Street. He said that the Planning Board's recommendations were presented to the DOT because they control the traffic signal. He further explained that they were requested to limit one of the exits to no left turns and showed drawings that demonstrated the traffic flow in and out of the property.

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

**Resolution No. 13 – Approving a Special Use Permit Request to Operate a Self Storage Facility in a Commercial District at 144 Eastern Boulevard, Parcel 5-16-320.100**

**Introduced by Council Member Teresa R. Macaluso**

WHEREAS Randy Soggs has made an application for a Special Use Permit to operate a self-storage facility in a Commercial District at 144 Eastern Boulevard, parcel 5-16-320.100, and

WHEREAS the Planning Board of the City of Watertown reviewed the request for a Special Use Permit at its meeting held on November 5, 2013, and passed a motion recommending that the City Council of the City of Watertown approve the request as submitted, subject to the following condition:

1. The Special Use Permit shall only be valid within the approximately 22,000 square

foot footprint of the former skating rink.

And,

WHEREAS a public hearing was held on the proposed Special Use Permit on December 2, 2013, 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 II 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 self storage at 144 Eastern Boulevard is 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 that a Special Use Permit is hereby granted to Randy Soggs to allow operation of a self storage facility in a Commercial District at 144 Eastern Boulevard, parcel 5-16-320.100, subject to the condition recommended by the Planning Board.

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

**Motion was made by Council Member Jeffrey M. Smith to schedule a Public Hearing on the foregoing resolution for Monday, December 2, 2013 at 7:30 P.M. Motion was seconded by Council Member Joseph M. Butler, Jr. and carried with all voting in favor thereof.**

**Resolution No. 14 – Authorizing an Application to the New York State Department of Environmental Conservation for Funding Through the Urban and Community Forestry Program**

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

WHEREAS the New York State Department of Environmental Conservation (NYSDEC) has announced that grant funding is available through the Urban and Community Forestry Grant Program, and

WHEREAS the City of Watertown has made the care and management of the City's urban forest a priority over the last two decades in the wake of several devastating storms in the 1990's, and

WHEREAS the City Council desires to apply to the program to fund a City wide street tree inventory project, and

WHEREAS a street tree inventory will provide the City with accurate information on the health of our street trees and will also provide valuable data about the state of the urban forest and information related to the annual environmental and economic benefits that the urban forest provides, and

WHEREAS Tree Watertown, the City's Street Tree Advisory Board, has recommended that the City Council apply for funding for the tree inventory,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves and endorses the City's application to the NYSDEC for grant funding under Round 12 of the Urban and Community Forestry Program for a project known as the City of Watertown Street Tree Inventory Project, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to file an application for funding in an amount not to exceed \$25,000, and upon approval of said request, to enter into and execute a project agreement with the NYSDEC for such financial assistance to the City of Watertown for the Street Tree Inventory Project.

**Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.**

**Resolution No. 15 – Authorizing Application for Federal Emergency Management Agency (FEMA) Grant, Fire Department**

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

WHEREAS the Federal Emergency Management Agency (FEMA). is accepting applications for funding through December 6, and

WHEREAS the City of Watertown Fire Department has prepared an application that meets the intended purpose of this grant, which will allow the Department to purchase personal protective equipment, and

WHEREAS the application, in the amount of \$103,168, requires a matching fund of 10% from the City,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the Fire Department to submit a grant application in the amount of \$103,168 to the Federal Emergency Management Agency (FEMA)., and

BE IT FURTHER RESOLVED that Fire Chief Dale C. Herman is hereby authorized and directed to execute the grant application on behalf of the City of Watertown.

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

Prior to the vote on the foregoing resolution, Council Member Butler inquired as to which budget year would be used for this payment and whether this equipment would be an improvement or replacement of current equipment.

Fire Chief Herman explained that the grant would be awarded closer to the next fiscal year so the payment would be during Fiscal Year 14-15. He further explained the differences between the current equipment and the new equipment stating that they are comparable. Some items such as the air cylinders, he said would replace current ones that are near end of life.

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

**Resolution No. 16 – Accepting Bid for Administration of Section 125 Plan, Benefit Services Group**

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

WHEREAS the City Purchasing Department has advertised and received proposals for the Administration of the City of Watertown's Section 125 Plan, and

WHEREAS proposal documents were sent to five area benefit management providers with three (3) sealed proposals received by the due date of October 22, 2013, and

WHEREAS a committee was formed comprising of City Manager Sharon Addison, City Comptroller James Mills, Confidential Assistant to the City Manager Beth Morris, Fringe Benefits Manager Melanie Wight and City Purchasing Manager Amy Pastuf, and

WHEREAS this committee reviewed the proposals received, and it is their recommendation that the City Council accept the proposal submitted by Benefit Services Group,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, accepts the proposal submitted by Benefit Services Group to enter into a one-year agreement, and

BE IT FURTHER RESOLVED that the City Manager Sharon Addison is hereby directed and authorized to execute documents necessary for this Agreement.

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

**Resolution No. 17 – Authorizing the Sale of Parcels No. 7-01-112.003 and 7-01-114.001 to Neighbors of Watertown, Inc.**

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

WHEREAS Neighbors of Watertown, Inc. is planning to renovate the building that formerly housed Empsall Department Store at 122-130 Court Street, and

WHEREAS two city-owned parcels known as Parcels No. 7-01-112.003 and 7-01-114.001, are needed by Neighbors of Watertown, Inc. to complete the redevelopment plan, and

WHEREAS Neighbors of Watertown, Inc. has offered \$1.00 to purchase Parcels No. 7-01-112.003 and 7-01-114.001, and

WHEREAS Parcels No. 7-01-112.003 and 7-01-114.001 have never been assigned a public purpose by the City Council,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, pursuant to Section 23(b) of the General City Law, §247 of the Charter of the City of Watertown as amended by Local Law No. 1 of 1983, adopted December 3, 1984, effective January 17, 1985, and the Ordinance, Municipal Code, Chapter 16 adopted by the City Council on June 6, 1977, finds that the offer of \$1.00 submitted by Neighbors of Watertown, Inc., 112 Franklin Street, Watertown, NY 13601, to purchase Parcels No. 7-01-112.003 and 7-01-114.001 is a fair and reasonable offer and is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized, empowered and directed to execute a Quit Claim Deed of said property to Neighbors of Watertown, Inc. upon receipt of the above-mentioned sum of money in cash only to the City Comptroller.

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

**Resolution No. 18 – Reappointment to Board of Ethics, Arthur C. Stever III**

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

RESOLVED that the following individual is hereby reappointed to the Board of Ethics for a one-year term expiring on December 31, 2014:

Arthur C. Stever III  
304 Paddock Street  
Watertown, New York 13601

**Seconded by Council Member Teresa R. Macaluso**

**Rules waived by Motion of Council Member Roxanne M. Burns, seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.**

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

**Resolution – Establishing Administrative Specialist Position**

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

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves establishing the position of Administrative Specialist effective November 18, 2013.

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

**Rules waived by Motion of Council Member Jeffrey M. Smith, seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.**

Prior to the vote on the foregoing resolution, Mayor Graham stated that his understanding is that the City Manager is in the process of hiring but has not completed the review of the individual. He asked if this resolution and the next resolution establishes the position and salary so that she can offer the position once the review is done.

Ms. Addison confirmed.

Council Member Butler asked if time was of the essence because Council just received the resolution tonight with no report. He asked if she planned to offer the position prior to the next meeting.

Ms. Addison stated yes.

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

**Resolution – Amendment No. 91 to the Management and Management Confidential Pay Plan**

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

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, hereby approves Amendment No. 91 to the Management and Management Confidential Pay Plan, for the position listed below, as follows:

<u>Position</u>	<u>Salary</u>
Administrative Specialist	<del>\$39,000</del> <b>\$40,000</b>

~~Upon successfully passing the Civil Service test for this position, the salary will increase by \$1,000~~

**Seconded by Council Member Teresa R. Macaluso**

**Rules waived by Motion of Council Member Jeffrey M. Smith, seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.**

Prior to the vote on the foregoing resolution, Council Member Burns asked for clarification on the \$1,000 increase upon successfully passing the Civil Service test. She said this has been done in the past but she never understood the rationale of it because quite often the civil service test is passed prior to offering the position.

Ms. Addison replied that she discussed the starting salary as \$40,000 but since it is a new position there is not an existing list of candidates so a test was called for which could occur anytime within the next 12 months.

Council wondered why the position was not offered for \$40,000 if the salary was set for that amount because if the test is not passed then the individual loses their position.

Attorney Slye pointed out that the candidate must score in the top three.

Council Member Smith mentioned that in the past, a salary would be set with a \$1,000 raise after completion of a year as well as receiving the annual management raise. Therefore, he noted this individual would get two raises within one year. He said he did not understand why there was a \$1,000 increase after the first year because it is still a probationary period.

Ms. Addison stressed that the annual increase in July should be considered as a cost of living increase. She said that the \$1,000 increase is an incentive to pass the test because there are study books available.

Council Member Burns said the incentive to passing the test should be to keep the job.

Beth Morris, Executive Secretary to the Civil Service Commission confirmed that this has always been the practice as an incentive. As far as the test, she could not tell Council when it would be held because she is at the mercy of New York State Civil Service and there is not a standard test for this position.

**Motion was made by Council Member Burns to amend the foregoing resolution to set the salary for this position to \$40,000 and to remove the language regarding the salary increase by \$1000 upon completion successfully passing the Civil Service test. Motion was seconded by Council Member Jeffrey M. Smith and carried with all voting yea.**

In response to Council Member Butler's inquiry, Ms. Addison confirmed that the position had been offered at \$39,000.

Mayor Graham clarified that the message should be that Council would rather see straight salaries without built-in increases. He said raises should come with the natural progression of things.

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

## **ORDINANCES**

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

BE IT ORDAINED where Janel Donnelly has submitted an application to change the approved zoning classification of VL1 Indiana Avenue North, parcel 6-16-107, from Light Industrial to Residence B, and

WHEREAS the Planning Board of the City of Watertown considered the request at its November 5, 2013 meeting and recommended that City Council adopt the zone change as requested, and

WHEREAS a public hearing was held on the proposed zone change on December 2, 2013, 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, 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,

NOW THEREFORE BE IT ORDAINED that the approved zoning classification of VL1 Indiana Avenue North be changed from Light Industrial to Residence B, 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 otherwise printed as the City Manager directs.

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

**Motion was made by Council Member Jeffrey M. Smith to schedule a Public Hearing on the foregoing ordinance for Monday, December 2, 2013 at 7:30 p.m. Motion was seconded by Council Member Joseph M. Butler, Jr. and carried with all voting in favor thereof.**

## **STAFF REPORTS**

### **Addressing the Human Resource Management Gap**

Ms. Addison stated that a contract would have to be entered into in order to have Public Sector on retainer and currently the City is paying \$150/hour for on-call services. She clarified that the current contract for \$6,500 is just to develop an employee handbook.

Council Member Butler asked if the handbook is completed because he would like to see the work that has been done prior to authorizing this.

Ms. Addison said the handbook is close to completion but that it would be delivered in draft form because it will need to be discussed with each of the bargaining units prior to adoption. She mentioned a recent issue that required Public Sector's assistance which she said further detail could be given in Executive Session.

Ms. Morris indicated that the City has used this company for 5.9 hours since late October to today.

Council Member Macaluso questioned that the reorganization of the City Manager's Office was to help with HR issues and asked if the Administrative Specialist was to handle those duties.

Ms. Addison said that the Administrative Specialist would be focused on benefits and that the moving of Ms. Morris into Confidential Assistant would give some HR experience.

Mayor Graham asked if Council would want to wait on a decision until after the handbook is completed.

Ms. Addison asked for Council's support for her to continue to use their services at a rate of \$150/hour.

Council Member Burns asked if there are any personnel issues looming requiring more of their time which would make the contract fee more cost effective.

Ms. Addison thought there were and said that she has been very selective on how she uses them. She explained that other personnel issues have required the services of the City Attorney at an average about 10 hours per month. She stressed the benefit of Public Sector dealing mostly with municipalities and mentioned that she had researched two other companies but they did not have a lot of municipality experience.

Council wished to see the handbook and asked for more information about this at the next meeting.

### **Surplus Sale Results Fall of 2013**

Mayor Graham discussed the report noting that the top bids for the POS systems were \$180 and \$185 which is close to staff's recommendation of a minimum bid of \$200 for the next auction.

Council concurred to contact the highest bidder on these items and accept their offer.

## **NEW BUSINESS**

### **Bus Shelter at Hilltop Towers**

In regards to the petition submitted, Council Member Burns asked for staff's input and the location of the closest bus stop to this building.

Eugene Hayes, DPW Superintendent commented that he would need to speak to the Transit Supervisor for further information and mentioned that recently five new shelters have been put up around the City. He noted that when the MPO is established funding may be available for additional bus shelters.

Mayor Graham asked for a report of more information.

### **Barben Street Sewer**

Council Member Butler asked for an update.

Attorney Slye stated that this can be treated the same as the sidewalk program if Council so chooses. He explained that the lateral to the home and not the internal plumbing could fall under this. He mentioned that Mr. Hauk suggested getting the approximate cost of the lateral from the bidding contactors so the homeowners can determine if they want to pay it in full or fund it through the City over a period of time.

### **Thompson Park Hours**

Council Member Butler told Council the feedback that he has received and that there is no good reason to be up in the park after 10:00 p.m. He said that in the past, people were causing havoc up there which required the police to monitor it more at night which he feels is a misuse of resources.

Mayor Graham said he would like to see the sign that staff is putting together.

### **Crows**

Council Member Butler remarked that the crows are a nuisance and getting more invasive. He told Council of a constituent's story of the crows destroying a cardinal's nest in her backyard.

### **138 Court Street**

Council Member Smith suggested that the City should take this property back and put it up for public auction because Council proceeded in good faith with the owner that he would move forward with developing the property. He advised that there will be more interest in the property with all the other developments happening downtown.

Attorney Slye explained the process in detail and the basis for commencing the lawsuit.

Mayor Graham agreed with Council Member Smith.

Council Member Macaluso said that Council has been patient long enough.

Council Member Burns also agreed.

Council Member Smith stressed that this is a good time to invest in the downtown area.

**Woolworth Building**

Mayor Graham mentioned that this property is closing tomorrow and that a safety fence has been put up showing that this development is moving forward.

**Creekwood Apartments**

Mayor Graham mentioned that the apartment project is divided between two school districts and that he received a letter from a resident expressing concerns over this. He said that the individual's children are bussed to the General Brown School District even though they can see North Elementary School out their bedroom window. He knows that the City does not play a formal role in this but he is willing to forward this to the State level and help deal with the school districts.

Council Member Burns agreed with the Mayor. She added that the average person renting there would just assume that the children would attend Watertown Schools.

**Motion was made by Council Member Jeffrey M. Smith to move into Executive Session to discuss the employment history of a particular individual**

**Motion was seconded by Council Member Joseph M. Butler, Jr. and carried with all voting in favor thereof.**

Council moved into Executive Session at 8:22 p.m. Beth Morris was requested to attend the Executive Session.

Council reconvened at 8:39 p.m.

**ADJOURNMENT**

**At the call of the chair, meeting was duly adjourned at 8:38 p.m. by motion of Mayor Jeffrey E. Graham, seconded by Council Member Jeffrey M. Smith and carried with all voting in favor thereof.**

*Ann M. Saunders*  
City Clerk