

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
July 9, 2007
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: **COUNCILMAN STEPHEN J. BRADLEY
COUNCILMAN PETER L. CLOUGH
COUNCILMAN TIMOTHY R. LABOUF
COUNCILMAN JEFFREY M. SMITH
MAYOR GRAHAM**

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

City Manager Corriveau presented the following reports to the Council:

- 1 - Authorizing Public Sale of Parcel Number 2-11-139, Formerly Known as the Paper Street, Division Street West
- 2 - Endorsing NYS Property Taxpayer Protection Act
- 3 - Approving Grant Application Between the City of Watertown and the Edward Byrne Memorial Justice Assistance Grant Program
- 4 - Finding that the Approval of the Zone Change Application Of Bart Bonner to Change the Approved Zoning Classification for the Real Half of Property Located at 1317 State Street, Parcel No. 5-01-201 from Residence "B" to Neighborhood Business Will Not Have A Significant Impact on the Environment
- 5 - 7:15 p.m. – Local Law No. 7 of 2007 – Amending the City Charter of the City of Watertown Authorizing a Contract of Employment with the Watertown City Clerk Beyond the Term of a Sitting City Council and Imposing the Requirement Of an Annual Performance Review
- 6 - 7:15 p.m. – Approving the Zone Change Request Submitted by Bart Bonner to Change the Approved Zoning Classification of the Rear Half of Property Located at 1317 State Street, Parcel No. 5-01-201.000 From Residence B to Neighborhood
- 7- Street Names in Summit Wood Project

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 June 18, 2007 was dispensed with and accepted as written by motion of Councilman Clough, seconded by Councilman LaBouf and carried with all voting in favor thereof.

COMMUNICATIONS

From Mary Streiff, 707 Cooper St., asking that the town clock be fixed soon.

ABOVE PLACED ON FILE

From Attorney James A. Burrows advising Council that the Board of Ethics has recommended that Councilman LaBouf should refrain from any City Council deliberations and/or vote in respect to any contractual arrangement pertaining to maintenance or repairs to the clock or lease arrangement with the Church.

ABOVE PLACED ON FILE

From Denise Rabon, 110 Colorado Ave., in opposition to the zone change request at 1317 State Street.

ABOVE PLACED ON FILE

A memo from Attorney Lawrence D. Hasseler with an attached letter from Annette M. Stevens asking Council permission to pay her back taxes due to the fact that she thought they were due on June 29th.

ABOVE PLACED ON FILE

The following claims against the City were received:

1. From Barbara Evans for personal injuries she sustained when she fell on Court Street.
2. From Ira Thomas for personal injuries he sustained when he fell on the sidewalk between 131 and 141 East Hills.

ABOVE REFERRED TO THE BOARD OF AUDIT

PRIVILEGE OF THE FLOOR

Scott Gates & Mia Marie addressed the chair about the need for a dog park and submitted petitions in support of it.

Wayne Zimmer, Katherine Street, addressed the chair concerning the trash in the park area between Katherine and Stuart Streets. He also questioned why his daughter's property on State Street was cited for not mowing the lawn while the problem is caused from the construction on State Street. He also asked what the status of the Ward Street and Mohawk Street properties was. He remarked that chicory is spreading throughout the City.

PUBLIC HEARINGS

AT 7:15 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF THE PUBLIC HEARING CONCERNING AMENDING THE CITY CHARTER OF THE CITY OF WATERTOWN AUTHORIZING A CONTRACT OF EMPLOYMENT WITH THE WATERTOWN CITY CLERK BEYOND THE TERM OF A SITTING CITY COUNCIL AND IMPOSING THE REQUIREMENT OF AN ANNUAL PERFORMANCE REVIEW.

MAYOR GRAHAM DECLARED THE HEARING OPEN.

No one spoke.

MAYOR GRAHAM DECLARED THE HEARING CLOSED.

AT 7:15 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF THE PUBLIC HEARING CONCERNING APPROVING THE ZONE CHANGE REQUEST SUBMITTED BY BART BONNER TO CHANGE THE APPROVED ZONING CLASSIFICATION OF THE REAR HALF OF PROPERTY LOCATED AT 1317 STATE STREET, PARCEL NO. 5-01-201.000 FROM RESIDENCE B TO NEIGHBORHOOD BUSINESS.

MAYOR GRAHAM DECLARED THE HEARING OPEN.

Patricia Buck, 123 Colorado Avenue, addressed the chair in opposition to the zone change. She explained that they have to put up with the noise from the bars at night and they don't want to have to put up with the noise of testing the speakers during the day.

Denise Rabon, 110 Colorado Avenue, addressed the chair also in opposition to the zone change. She explained that the noise from the testing shakes her windows and her entire house. In addition, the lyrics of the music coming from the speakers is extremely offensive.

Bart Bonner, whose wife owns the property, addressed the chair explaining that the neighbors have not complained to them. He also commented that one reason that he wants a garage is so they can work inside and not on the street. He explained that they had instructed the staff to keep the noise down. He said that he would tell staff to be more careful in the future. He apologized to the complainants.

Mrs. Rabon responded that she has complained to the police on three occasions.

Mr. Bonner explained that they have a temporary storage barn. However, they want to build a three car garage.

MAYOR GRAHAM DECLARED THE HEARING CLOSED AT 7: 26 P.M.

RESOLUTIONS

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the City of Watertown owns a certain lot of land acquired by Warranty Deed on November 28, 1949 and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel Number 2-11-139 and formerly known as the paper street Division Street West, and

WHEREAS title of said land has been retained by the City of Watertown, and

WHEREAS the City Council abandoned the paper street section of Division Street West on January 16, 2007, and

WHEREAS the City Council deems the property to be excess and not required for any City purpose, and

WHEREAS the City Council desires to ensure that properties such as those listed above be brought into compliance with all applicable provisions of the New York State Fire Prevention and Building Code and all City of Watertown zoning and health codes within one (1) year of their sale to subsequent buyers,

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 13 adopted by the Council, on June 6, 1977, the Comptroller of the City of Watertown be and he hereby is authorized to publish a Notice of Sale of the parcels of land above mentioned once a week for three (3) consecutive weeks in the official newspaper of the City of Watertown to the effect that said parcel of land will, at 10:00 a.m. on the 1st day of August, 2007, in the 3rd Floor City Council Chambers in the Municipal Building, 245 Washington Street, be offered individually for sale to the highest bidder and there present, under the conditions herein set forth:

The aforesaid parcels are conveyed, together with all rights and privileges affecting the same, and also together with all buildings, improvements and appurtenances located upon said described parcels, and

BE IT FURTHER RESOLVED that the City Comptroller be and he hereby is authorized to offer for sale said parcel subject to the rights of the said City Council to reject any and all bids, and

BE IT FURTHER RESOLVED that the highest bidder deposit at least 10 per cent (10%) of the bid price at the same time of each said bid with the City Comptroller, and

BE IT FURTHER RESOLVED that said parcels of land shall be offered for sale for cash only, and

BE IT FURTHER RESOLVED that the Notice of Sale, any offer to purchase, and any deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the State Fire Prevention and Building Code and all City of Watertown zoning and health codes within one (1) year of the City's delivery of the deed to the buyer, the City shall have the right to seek reversion of title to the City, and

BE IT FURTHER RESOLVED that the said bids shall be submitted to the Mayor and City Council for their approval or rejection, and

BE IT FURTHER RESOLVED that the City reserves the right to withdraw the parcel prior to the public sale of said parcel.

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

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the tremendously high property tax burden on New York families and businesses is the number one issue facing our community today, and

WHEREAS the sheer cost of living in New York has forced many residents and businesses to leave, thus slowing the economic engine of the state, and

WHEREAS New Yorkers face the highest property taxes in the nation and when measured as a percentage of home value, nine of the top 10 property tax rates in the entire country belong to counties in New York, and

WHEREAS the State must act now to thwart the detrimental effects that high property taxes are having on local government, and

WHEREAS Assembly Minority Members have introduced the "New York State Property Tax Protection Act (Assembly Bill 8775) which puts forth new and innovative ideas for property tax reform that limit the amount school districts can raise annually through local tax levies to four percent or the rate of inflation, whichever is less, and

WHEREAS the Act would relieve municipalities and school districts of unfunded mandates, reduce county Medicaid costs, strength financial accountability over school tax dollars, promote local government efficiency and encourage local option insurance pooling,
and

WHEREAS the “New York State Property Taxpayer Protection Act” will help fix New York’s broken property tax system, providing homeowners, businesses and municipalities with significant and lasting relief from the crushing burden of skyrocketing property taxes,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York acknowledges New York State’s property tax crisis and urge the immediate passage and chaptering of the “New York State Property Taxpayer Protection Act,” which will help local governments reinvigorate New York’s economy by providing incentives for people and businesses to move here and stay, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Governor the State of New York, the temporary President of the New York State Senate, the Speaker of the New York State Assembly and to each member of the New York State Legislature.

THERE WAS NO SECOND TO THE RESOLUTION

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the City of Watertown is applying for federal funding under the Edward Byrne Memorial Justice Assistance Grant Program, and

WHEREAS the City is notifying City Council and the public of the grant funding opportunity that is being provided by the Justice Assistance Grant Program, and

WHEREAS the funding, if awarded, will be allocated to the City of Watertown’s School Resource Officer Program, and

WHEREAS the City of Watertown will enter into an inter-municipal Agreement with the County of Jefferson which details the terms of the grant and the allocation of funds received,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Grant Application between the City of Watertown and the Edward Byrne Memorial Justice Assistance Grant Program, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is hereby authorized and directed to draft and execute an inter-municipal Agreement with Jefferson County related to this grant on behalf of the City of Watertown.

SECONDED BY COUNCILMAN TIMOTHY R. LABOUF AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCILMAN TIMOTHY R. LABOUF

WHEREAS the City Council of the City of Watertown, New York has before it an ordinance for the zone change application of Bart Bonner to change the approved zoning classification of the rear half of property located at 1317 State Street Parcel No. 5-01-201.00 from Residence “B” to Neighborhood Business, and

WHEREAS the City Council must evaluate all proposed actions submitted for its consideration in light of the State Environmental Quality Review Act (SEQRA) and the regulations promulgated pursuant thereto, and

WHEREAS the adoption of the proposed ordinance will constitute such an “Action”, and

WHEREAS the City Council has determined that the proposed ordinance is an “Unlisted Action” as that term is defined in 6NYCRR Section 617.2(ak), and

WHEREAS there are no other involved agencies for SEQRA review as that term is defined in 6NYCRR Section 617.2(s), and

WHEREAS to aid the City Council in its determination as to whether the proposed zone change will have a significant effect on the environment, Part 1 of the Short Environmental Assessment Form has been prepared by Bart Bonner, a copy of which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that:

1. Based upon its examination and completion of Part II of the Short Environmental Assessment Form and comparison of the proposed action with the criteria set forth in 6NYCRR Section 617.7, no significant impact on the environment is known and the adoption of the zone change will not have a significant effect on the environment.
2. The Mayor of the City of Watertown is authorized to execute Part III of the Environment Assessment Form to the effect the City Council is issuing a Negative Declaration under SEQRA.
3. This resolution shall take effect immediately.

SECONDED BY MAYOR JEFFREY R. GRAHAM AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN CLOUGH AND COUNCILMAN SMITH VOTING NAY

Prior to the vote on the foregoing resolution and following the public hearing, Council discussed the impact that this would have on the neighborhood. As they addressed the SEQRA form, Attorney Slye answered questions that were posed by the Council. He discussed the various routes that the Council could take, i.e., approve the resolution,

decide that there needs to be a full environmental assessment form completed and what things could be mitigated or require a complete environmental impact statement.

Mayor Graham asked if the zone change would have an affect on the noise levels as they now exist. He also commented that if it were him, he wouldn't have done this work on the curb while the zone change was pending.

Councilman Smith remarked that the question is if the zoning is changed what future businesses would it permit.

Attorney Slye remarked that if they are working on cars now in the residential zone, they are in violation.

Councilman Smith asked about a special use permit.

Attorney Slye explained that City Code contains no requirement of a special use permit for this particular use in a neighborhood business district. It was also explained to Council that Monroe Muffler was done with a site plan, not a special use permit.

Councilman Clough asked the neighbors if they feel a garage would make any difference.

Mrs. Rabon responded that it would have to have really thick insulation and the doors would have to remain shut.

Councilman Smith asked about the work being done on the State Street side now.

Mr. Mix responded that the work could be done outside in front of the building.

Councilman LaBouf remarked that no one is opposed to business. However, the neighbors in the area hear the noise from the bars in the evening and they don't want this noise during the day. He asked Mr. Bonner to elaborate on what the garage building would be.

Mr. Bonner explained that it would be a three stall garage with 2x6 studs. Insulation will be blown in and there will be no windows. The overhead doors would not be closed in the summer.

Councilman LaBouf asked if the speakers had to be blared to be tested.

Mr. Bonner responded that he specifically told the staff not to do that.

Councilman Smith remarked that everyone wants to see the City grow. However, it abuts a residential neighborhood. The garage doors being up during the summer is the very same problem that the people on Smith Street are experiencing every day.

Mayor Graham remarked that we don't know that the garage will make a difference and Council would be approving this on an act of faith.

Mrs. Corriveau commented that Council needs to consider all the potentials that this change could have. Whatever business is in there would have an impact on the neighbors.

Councilman LaBouf asked if Mr. Bonner was going to put central air in the garage and keep the doors closed.

Mr. Bonner explained that the doors would be heavy, insulated doors and if they were required to keep the doors closed, they would need to put in a system.

Attorney Slye commented that operational requirements and times of operation can not be part of a site plan.

Councilman Clough referred to the Planning Board minutes and remarked that they had a number of concerns of what businesses could go there in the future. They voted this down.

Mayor Graham remarked that this parcel is de facto neighborhood business just as the lots are behind the bars.

Councilman Smith asked about why these lots were ever zoned residential.

Mr. Mix explained that staff found a request for a zone change in 1965 for this parcel which was turned down. He also explained how zoning maps were prepared in the 1950's and how these lots were determined by drawing straight lines across the properties.

Councilman LaBouf asked about offsite testing of the systems.

Mr. Bonner remarked that it would be completely impractical to do.

Mayor Graham remarked that if Council opted for the longer EAF, they would only be rolling it over and coming to the same conclusion.

Attorney Slye advised that C1, 2 and 4 are null in regards to a zone change as Council has to look at all potential uses of the property.

Mrs. Corriveau advised that the Council should not be considering the business.

Mayor Graham remarked that this activity will continue whether the zone change is passed or not. He remarked that he doesn't think the zone change would have a significant impact.

Councilman LaBouf commented that he is concerned that if Council doesn't approve the zone change, the business will work out front and it will increase the problems in the neighborhood.

Mr. Bonner explained that they found out two days before they closed on the property that it was a split zone. He stated that he understands the problems that have come up but he never anticipated them. He stated that they will continue to install stereos within the Pewter Mug line. He commented that he would have to assume that if the zone change is not approved, they would be forced to find another location outside of the City. He questioned who would move to the property if they can't use the back part of the parcel.

Attorney Slye explained that Council can impose conditions that deal with building construction and can impose turning the building on the parcel.

Councilman Smith asked if the doors of the garage could be facing State Street.

Mr. Bonner explained the size of the parcel and the fact that they would not be able to construct the garage sideways.

Remaining discussion which concerns the zoning ordinance can be found in the ordinance section of these minutes.

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

WHEREAS the City has encountered a number of water main breaks on streets known as Ontario Drive, North and South in the City of Watertown, and

WHEREAS the water main breaks have resulted in the loss of service to the residents of that area, and

WHEREAS the City of Watertown, by its City Council, has determined that the continuing failure of the water mains in the Ontario Drive (North and South) area has created an emergency situation requiring immediate corrective work such that the City may proceed to award a contract for necessary repairs without the public bidding requirements contained at Section 103 of the New York General Municipal Law, and

WHEREAS the City Engineer, in coordination with the Water Superintendent and the Superintendent of Public Works, developed a Scope of Services for the work needed to be completed, and forwarded said Scope to six (6) prospective bidders, and requested a twenty (20) hours turn around on the responses, and

WHEREAS the two (2) responses received were opened and reviewed by the City Engineer, the Water Superintendent, the Superintendent of Public Works, City Purchasing Agent and the City Manager, and

WHEREAS the City Attorney developed an Emergency Water Replacement Agreement between the City and Bat-Con, Inc., and

WHEREAS on Friday, July 6, 2007, City Manager Mary M. Corriveau executed said Agreement on behalf of the City of Watertown, with the verbal approval of the City Council,

NOW THEREFORE BE IT RESOLVED that based on the continuing nature of the failures in the water mains, an emergency situation affecting the health, safety and welfare of the citizens was created, necessitating the City to award a contract under the emergency provisions of Section 103 of the New York State General Municipal Law, and

BE IT FURTHER RESOLVED that the City Council ratifies the City Manager's execution of the Agreement with Bat-Con, Inc. to perform repairs to the failing water mains on Ontario Drive, North and South.

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

RULES WAIVED BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

ORDINANCES

THE ORDINANCE APPROVING THE ZONE CHANGE REQUEST SUBMITTED BY BART BONNER TO CHANGE THE APPROVED ZONING CLASSIFICATION OF THE REAR HALF OF PROPERTY LOCATED AT 1317 STATE STREET, PARCEL NO. 5-01-201.000 FROM RESIDENCE B TO NEIGHBORHOOD BUSINESS WAS PRESENTED TO COUNCIL. (Introduced on June 18, 2007; public hearing held this evening; appears in its entirety on page 164 of the 2007 Minutes Book).

Council Smith suggested that this be tabled and asked if Mr. Bonner would sit down with the neighbors to address their concerns.

Mr. Bonner explained that they want to get the garage constructed before Labor Day.

Mayor Graham remarked that the prospect of passage of this ordinance appears mixed at this moment.

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

INTRODUCED BY COUNCILMAN PETER L. CLOUGH

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

WHEREAS, it is now desired to authorize the financing of such capital project;

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

Section 1. For the specific object or purpose of paying the cost of replacement of a water main on Ontario Drive (North and South), in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$355,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$355,000 and that the plan for the financing thereof is by the issuance of the \$355,000 bonds of said City authorized to be issued pursuant to this bond ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision one of paragraph a of Section 11.00 of the Local Finance Law.

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

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

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

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

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

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

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

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

Constitution

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

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

UNANIMOUS CONSENT MOVED BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

LOCAL LAW

LOCAL LAW NO. 7 OF 2007 WAS PRESENTED TO COUNCIL(Introduced to Council on June 18, 2007; public hearing held this evening; appears in its entirety on page 165 of the 2007 Minutes Book).

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING LOCAL LAW AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

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COUNCIL DISCUSSED THE FOLLOWING ITEMS:

Letter from Mrs. Stevens

Mrs. Corriveau advised Council that Mrs. Stevens has had two years to redeem the parcel. When she came in on June 29th, the City had already taken title and had filed the deed. She also advised Council that it is a rental property.

Councilman Clough remarked that this is similar to the previous situation on Stone Street with the bank.

Mayor Graham remarked that this went two years and that is a long period of time.

Councilman Clough remarked that a lot of these situations are as a result of people waiting until the end of the time to make the payment and she missed it by four days.

Attorney Slye suggested that Council not act on this until staff has checked to see if there are any liens on the property before selling it back to her and having the liens discharged.

Ontario Drive Water Situation

Mayor Graham commended everyone for the speed with which the problem on Ontario Drive was resolved.

Mr. Pilon explained that there would be a report done after the proper testing has been completed.

Councilman Clough commended Mr. Pilon, the crews and staff for their work.

Councilman LaBouf asked about the potential contamination to the water due to asbestos in the pipes.

Mr. Pilon explained that this is still being investigated. However, to his understanding, it would be very minimal. He also extended his appreciation to the neighbors for their patience. He thanked the Council and Mrs. Corriveau for their assistance.

LIBRARY MARBLE WORK

Councilman Bradley discussed the fact that he checked the written minutes as well as watching the videos of the meetings concerning this work. The Council had approved this additional work and remarked that the ordinance should have been changed.

Mrs. Corriveau responded that the ordinance did not need to be changed. There was enough funding to cover the cost of the marble work. She also explained that the effect that has on the other work will be what Council considers when the change orders come before them. The additional change orders will require Council to determine how to pay for it.

Mr. Pilon explained about the repairs to the dome area and the fact that there were two rings of stenciling around the entire dome. There was some problem with cleaning them and it required the loose paint to be redone. The restoration contractor has agreed to do additional stenciling, and electrical work (which is a separate issue). The contractor has said he could put together a proposal to help offset the additional costs. However, Mr. Pilon has not received the proposal yet.

Mayor Graham remarked that Council is already on the record to do the marble cleaning and that has not been rescinded.

Ward Street

Councilman Clough asked about the status of this property.

Mrs. Corriveau advised that Attorney Burrows and Mr. McWayne are meeting on Tuesday morning to review the affidavits from the nearby property owners. They will then go to the judge and obtain the warrants.

Mohawk Street

Councilman Clough asked about the status of this property.

Mrs. Corriveau explained that Codes had been contacted.

Mayor Graham asked at what point does the City get serious with these types of property owners.

Ann Street

Mayor Graham asked about the status of this property.

Mrs. Corriveau advised that the City took title to 848 Ann Street.

Mayor Graham asked that the City Manager check to see if it is the one with all the trees in front.

Court Street

Mrs. Corriveau advised that asbestos abatement will begin on July 16th.

Clock Update

Councilman Clough asked for a status on this.

Councilman LaBouf left the meeting.

Mrs. Corriveau advised that the insurance is in place with the church. The lease was forwarded to Michael Burt on June 28th. The church board will meet on July 11th to review it. She explained that they had asked Mr. Burt to also look at the agreement with Knowltons, the church and the city. Following the review by the board, the membership of the church then has to be notified two weeks in advance and then a vote of the membership must be held to approve the lease.

Councilman LaBouf returned to the meeting.

Park Circle

Councilman LaBouf asked about reinstating the cross walk that was in the Park Circle years ago.

Mrs. Corriveau will look into this.

200 block of S. Hamilton Street

Councilman LaBouf asked about the “no parking” signs being removed from this area and the fact that it has been no parking for many years.

700 block of Franklin Street

Councilman LaBouf asked about the tremendous amount of debris on the curb side in this area.

Update on the North America Cup Free Style Event

Councilman LaBouf asked about the insurance issue.

Attorney Slye explained that he had been in contact with the American Canoe Association on three occasions and have not heard back from them. Therefore, the insurance issue is in limbo.

Councilman LaBouf remarked that this is another year and he is concerned about issues such as advertising as the event is such a short time away and he hasn't seen any advertising for it.

Mrs. Corriveau explained that the City doesn't promote the event or advertise for the event. She remarked that the promoters of the event are the ones who do the publicity. She commented that the key issue where the City stepped in was with the insurance. However, the City has not heard back from anyone.

Councilman LaBouf remarked that the City has funds for advertising and we should look at the river funds to help promote the event.

Mrs. Corriveau remarked that the Black River Fund was already utilized.

Mr. Mix explained that \$10,000 of this fund was used last year for the production of the television special. Monies have been committed for the next three years for construction projects along the river.

Mrs. Corriveau mentioned that the City is building the north shore access and the plans are to have it completed prior to the event in April. The cost for this is around \$250,000.

Councilman Smith remarked that he doesn't think the City has been at fault in this.

Councilman Bradley agreed with Councilman Smith and asked if Councilman LaBouf's focus on advertising was locally or nationally.

Councilman Smith remarked that this is not a City event. He also asked if anyone had requested funding for advertising.

Councilman Bradley remarked that the City has already designated funds through the 1000 Islands Tourism Council. This advertising tells people what website to check on for the various events.

Mrs. Corriveau remarked that no requests had been made for advertising funds. She explained that Mr. O'Riley had submitted a letter to the City concerning the plans and she indicated in a written response to him that Christine Hoffman was the contact for the City.

Councilman Clough commented that Councilman LaBouf's remarks indicate that the City is short changing someone and that is not the case.

Councilman Smith mentioned that the City has done infrastructure work, supported a national television program and done enhancement to the river.

Councilman LaBouf advised that Mr. O'Riley was here this evening and he would like him to address the Council.

Mayor Graham informed all present that Council had already had a public comment session this evening. He stated that he would allow Mr. O'Riley to speak this time.

Mr. O'Riley addressed the chair stating that he was glad that Councilman LaBouf had posed these questions. He stated that nothing is being coordinated and commented that in many communities they work on these events all year long. He explained that they have approached the Watertown Trust. The Trust advised them to contact the 1000 Islands Tourism Council and they have had no response from them. He thanked Council for the past support. He stated that he is not asking for anything today. He stated that he would like to see the event continue.

Mayor Graham asked how the insurance issue would be resolved.

Mrs. Corriveau suggested that a call from Mr. O'Riley to the insurance company might help.

Mr. O'Riley commented that he can't raise sponsorship without knowing that the insurance issue has been resolved.

Mrs. Corriveau remarked that the customer for the insurance is Black Water, not the City.

Councilman LaBouf asked about any meetings for logistics.

Mrs. Corriveau advised that this goes on all the time and Mrs. Hoffman is still the contact.

Endorsing NYS Property Taxpayer Protection Act

Councilman LaBouf remarked that he was disappointed that there was no second or even a time to discuss this resolution this evening. He then outlined his reasoning for wanting this resolution approved. He also remarked that people are complaining about their property taxes and many have said that they will be forced to move out of the City. He asked that the City Manager prepare it again for the next agenda.

Councilman Smith responded that a lot of this deals with the school district and with county programs. He asked what impact this would have on them. He asked if Councilman LaBouf had discussions with them. He remarked that it sounds nice in an election year to rant and rave about property taxes; however, the City's tax rate has declined. He suggested that before Councilman LaBouf introduces this resolution again, he should at least know what impact it will have on the school taxes. He also suggested that if Councilman LaBouf is concerned about the school taxes, he should run for the school board.

Councilman LaBouf responded that he hadn't spoken with the county or the school district.

Councilman Bradley remarked that he had spoke with Senator Wright and Assemblyman Aubertine about this and asked if Councilman LaBouf had done so. He stated that they both said that it doesn't have enough support to become a law.

Councilman LaBouf responded that he hadn't spoken with them.

Mayor Graham remarked to Councilman LaBouf that it was the consensus of the Council not to vote on this resolution. However, Councilman LaBouf brought it up under new business and made his talking points. Mayor Graham stated that this can not go on until November. Council must confine their activities to doing the people's business during the Council meetings.

Monroe Avenue Parking

Mayor Graham asked about the parking concerns for the day care center on this street.

Mrs. Corriveau advised that Chief Goss is working on a report.

State Street Bars

Mayor Graham remarked that folks on the blocks near the bars on State Street are increasingly complaining about the problems with the bar patrons as they leave the establishments. He asked that Chief Goss have discussions with these businesses.

Columbia Street House

Mayor Graham asked about the status of this.

Attorney Slye explained that until the Police Department releases the property, no one is going in. Codes will go back in after that. He also advised that a condemnation order doesn't keep the owner from fixing up the place.

Summit Woods Street Name

Council members concurred to name the main street into the complex "Hudson Lane".

City Manager's Report

Mrs. Corriveau referred to the fact that this report was presented to the Council.

Dog Park Presentation

Mr. Hayes, DPW Superintendent, gave a presentation on dog parks. He explained that it should be completely enclosed by fencing and have double entry gates. There should be two parks, one for small dogs and one for larger dogs. There should be water, litter cans, trash cans, landscaping and walking trails. The walking surfaces should be decomposed granite or asphalt. Shade is important and the site shouldn't be overgrown. In addition to standard maintenance requirements, lime should be applied to control fleas and ticks.

Mr. Hayes also explained that there should be dog park rules and children would not be allowed. He outlined potential sites. The cost estimates total about \$701,725. He reviewed possible funding sources.

ADJOURNMENT

AT THE CALL OF THE CHAIR THE MEETING WAS DULY ADJOURNED AT 9:50 P.M. BY MOTION OF COUNCILMAN CLOUGH, SECONDED BY COUNCILMAN SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

Donna M. Dutton
City Clerk