

**CITY COUNCIL MEETING
CITY OF WATERTOWN
July 17, 2023
7:00 p.m.**

Mayor Jeffrey M. Smith Presiding

Present: Council Member Clifford G. Olney III
Council Member Sarah V.C. Pierce
Council Member Lisa A. Ruggiero
Mayor Jeffrey M. Smith

Not Present: Council Member Patrick J. Hickey

Also Present: Kenneth A. Mix, City Manager
H. Todd Bullard, Esq. Harris Beach PLLC, Interim City Attorney

City staff present: Matthew Timerman, James Mills, Michael Delaney, Michael Lumbis, Kyle Meehan, Mike LaBarge, Vicky Murphy, Logan Eddy

The City Manager presented the following reports to Council:

- Resolution No. 1 - Accepting Bid for Fire Station Upgrades to Stations 1, 2, and 3 Project - Northern Tier Contracting, Inc.
- Resolution No. 2 - Readopting Fiscal Year 2022-23 General Fund Budget – Fire Station Upgrades
- Resolution No. 3 - Approving Intermunicipal Agreement with Watertown City School District for Tax Collection Services
- Resolution No. 4 - Accepting Bid for Flower Memorial Library Window and Light Replacement Project – Zerodraft of CNY, Inc.
- Resolution No. 5 - Supporting and Authorizing a Grant Application to the New York State Department of State through the Local Waterfront Revitalization Program for the Hawk Street Gateway Enhancement Project
- Resolution No. 6 - Authorizing the Submission of a Grant Application to the New York State Office of Parks Recreation and Historic Preservation through the 2023 Consolidated Funding Application Process for the Design of the Thompson Park Amphitheater Project
- Resolution No. 7 - Authorizing Abate of Code Enforcement Surcharge on Real Property Tax Bill for Property at Bellew Ave S., Parcel No. 9-11-117.003
- Resolution No. 8 - Accepting Change Order No. 7 with Power & Construction Group, Inc. for the Public Square Traffic Signal Optimization and Coordination Project, NYSDOT PIN 7807.20
- Resolution No. 9 - Approving Transportation Agreement with the Town of Watertown
- Resolution No. 10 - Approving Amendment Number 3 to the Agreement with Barton & Loguidice, D.P.C. for the Downtown Revitalization Initiative Streetscape Project
- Resolution No. 11 - Authorizing and Endorsing an Application for Grant Funding through the New York State Department of Environmental Conservation’s Urban and Community Forestry Program
- Resolution No. 12 - Supporting and Authorizing a Grant Application to the New York State Department of Environmental Conservation through the Water Quality Improvement Project Program for the City of Watertown Salt Storage Facility Project
- Resolution No. 13 - Accepting a Grant from the Division of Criminal Justice Services to Fund Radios Used in Hot Spot Policing

- Resolution No. 14 - Authorizing Amendment No. 4 of the GHD Consulting Services Agreement for the Water Treatment Plant Disinfection By-Product Project
- Ordinance No. 1 - Amending Chapter 216: Parks, Playgrounds, and Recreational Areas of the City Code – Revising Thompson Park Hours
- Thompson Park Golf Course Update

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 July 3, 2023, adjourned meeting of July 6, 2023, work session of July 10, 2023, and adjourned meeting of July 13, 2023 was dispensed and accepted as written by motion of Council Member Lisa A. Ruggiero, seconded by Council Member Sarah V.C. Pierce and carried with all present voting in favor thereof.

COMMUNICATIONS

A claim was received from Mary Jo Carpenter, 14190 Boulder Creek Road, seeking reimbursement of \$1,948.11 for damages to her vehicles after being hit by a City-owned tractor at the intersection of Washington Street and Brook Drive on June 6, 2023.

Above claim has been referred to the Board of Audit.

PRIVILEGE OF THE FLOOR

Bradford C. Riendeau, 637 Academy Street, questioned whether the road work being done at the Thompson Park Circle would be completed using the same engineering standards as the roundabouts at the northern entrance to the City and on Western Boulevard. He also expressed concerns with traffic flow downtown with the new parking configurations and suggested that the City relies too heavily on experts and engineers who only think of downtown traffic as pedestrians rather than drivers. He suggested the City offer more public hearings when traffic changes are made.

Leonard Spaziani, 271 Chestnut Street, addressed the chair on fiscal responsibility and asked Council to defeat the Resolution regarding the amphitheater. He cited his concerns about the leak in the reservoir and the “trout stream” that has been created by the leak.

Jason Traynor, 424 Arsenal Street, expressed concerns about the way people are appointed to committees, the cost of building an amphitheater and spending for a skate park.

Robert Kimball, 927 Ives Street, addressed Council about their July 3rd decision to tear down a structure on East Hoard Street. He expressed a desire to keep properties on the tax roll.

Jonathan Phillips, 735 Mill Street, noted his objections to Council spending, the conditions of City streets and the overall demeanor of City police officers.

RESOLUTIONS

Resolution No. 1 - Accepting Bid for Fire Station Upgrades to Stations 1, 2, and 3 Project - Northern Tier Contracting, Inc.

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to replace identified bathrooms along with flooring and entrance porticos rehabilitations located at Fire Stations #1, 2, and 3 located on Massey, State and Mill Streets, and

WHEREAS the Purchasing Department advertised and received three (3) sealed bids for the Fire Station Upgrades to Stations #1, 2, and 3 Project, and

WHEREAS on June 22, 2023, at 2:00 p.m. the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bids received with the Engineering Department and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Northern Tier Contracting, Inc.,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Northern Tier Contracting, Inc. in the amount of \$234,400.00, and

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

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Council Member Olney requested more information on why the bids for this project came in so much higher than the amount budgeted.

Noting that two of the bids were within \$100 of each other, City Engineer Michael Delaney stated that City staff believes they have received an accurate price.

Council Member Olney asked for an explanation of what the amount would cover and the scope of the project.

City Fire Chief Matthew Timerman read from the report listing the repairs to be made.

In response to Council Member Olney's question on the budgeted amount, Mayor Smith replied it was \$105,000.

Council Member Olney asked for an explanation for why the bids were so much higher and expressed concerns that contractors were overcharging.

City Manager Mix informed Council that the Resolution had been ready for the July 3 meeting, but he wanted to discuss with staff the potential for recommending the bids be rejected. He noted, however, with two bids coming in at such a close number, he feels that they have accurate bids.

Council Member Ruggiero noted the estimates were more than a year old.

Chief Timerman mentioned a lot had changed since the original estimates.

Council Member Olney indicated he was not opposed to the repairs but suggested that the scope be reduced to save money.

Mayor Smith stated that City staff says the work needs to be done and he trusts their expertise.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all present voting yea except Council Member Clifford G. Olney III voting nay.

Resolution No. 2 - Readopting Fiscal Year 2022-23 General Fund Budget – Fire Station Upgrades

Introduced by Council Member Lisa A. Ruggiero

WHEREAS on June 6, 2022 the City Council passed a resolution adopting the Budget for Fiscal Year 2022-23, of which \$57,731,644 was appropriated for the General Fund, and

WHEREAS the adopted Fiscal Year 2022-23 General Fund budget appropriated as a transfer to the Capital Project Fund \$70,000 for bathroom and floor rehabilitations to station #1 and also \$105,000 to rehabilitate the porticos at stations 2 and 3 and,

WHEREAS the City has engaged C&S Engineers for design and construction inspection services for the project in the amount of \$22,400, and

WHEREAS a bid was received by Northern Tier Contracting, Inc. in the amount of \$234,400 to complete the project and if accepted by City Council creates a budgetary shortfall of \$151,800,

NOW BE IT RESOLVED that the City Council of the City of Watertown hereby re-adopts the General Fund Budget for Fiscal Year 2022-23 and makes the following adjustments in the re-adopted General Fund Budget:

GENERAL FUND

Appropriated Fund Balance:

A.0000.0909

Fund Balance

\$ 151,800

Expenditures:

A.9950.0900

Transfer to Capital Fund

\$ 151,800

Seconded by Council Member Sarah V.C. Pierce and carried with all present voting yea.

Resolution No. 3 - Approving Intermunicipal Agreement with Watertown City School District for Tax Collection Services

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the Watertown City School District wishes to have the City of Watertown provide tax collection services on behalf of the School District for the 2023-2024 and 2024-2025 fiscal years, and

WHEREAS the City is willing and able to provide tax collection services on behalf of the School District for the 2023-2024 and 2024-2025 fiscal years, and

WHEREAS the City and the School District wish to enter into an intermunicipal agreement pursuant to the powers granted to local governments by New York State General Municipal Law Article 5-G,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Intermunicipal Agreement between the Watertown City School District and the City of Watertown for Tax Collection Services, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Kenneth A. Mix, is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

Seconded by Council Member Sarah V.C. Pierce and carried with all present voting yea.

Resolution No. 4 - Accepting Bid for Flower Memorial Library Window and Light Replacement Project – Zerodraft of CNY, Inc.

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to replace the single pane windows in the 1974 Library addition and fluorescent lights in the upstairs Old Watertown Room, 1812 Room and other smaller rooms with more historical accurate LED lights located at the Flower Memorial Library, and

WHEREAS the Purchasing Department advertised and received one (1) sealed bid for the Flower Memorial Library Window and Light Replacement Project, and

WHEREAS on June 29, 2023, at 2:00 p.m. the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bids received with the Engineering Department and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Zerodraft of CNY Inc.,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Zerodraft of CNY Inc. in the amount of \$197,500.00, and

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

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Council Member Olney noted the City had received only one bid on this project.

Mr. Mix noted this was very specialized work and he believed this was the same company who had done this work before.

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

Resolution No. 5 - Supporting and Authorizing a Grant Application to the New York State Department of State through the Local Waterfront Revitalization Program for the Howk Street Gateway Enhancement Project

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the New York State Department of State, (NYS DOS) is accepting applications through the Local Waterfront Revitalization Program (LWRP) through the 2023 Consolidated Funding Application (CFA) process, and

WHEREAS the proposed Howk Street Gateway Enhancement Project is an integral part of the City's LWRP and aligns with the City of Watertown's Comprehensive Plan as well as other regional initiatives, and

WHEREAS the City of Watertown recently adopted the Downtown-Riverfront Parks Connection Feasibility Study and a Comprehensive Plan, both of which identified and pinpointed the need to revitalize and enhance its recreational facilities and waterfront areas, explicitly identifying the Howk Street Gateway Enhancement Project as a top priority, and

WHEREAS the Downtown-Riverfront Parks Connection Feasibility Study and the Comprehensive Plan were developed through an extensive public engagement process, encompassing stakeholder interviews, focus group sessions, community surveys, and public workshops, resulting in a broad consensus favoring the utilization of the City's recreational and waterfront assets to foster tourism and stimulate local commerce, and

WHEREAS the City of Watertown proposes requesting funds from the NYS DOS for the Howk Street Gateway Enhancement Project, which includes the creation of a gateway entrance to the Newell

Street waterfront district by improving pedestrian areas with new sidewalks, brick pavers, street trees and lighting in addition to constructing new curbing and repaving the street to create an attractive environment, in addition to enhanced waterfront access and other beautification initiatives, and associated improvements, and

WHEREAS participating in the LWRP would endow the city with the necessary leeway to manage its coastal resources more efficiently and build local capacity to tackle revitalization issues more effectively, and

WHEREAS the City of Watertown is now proactively seeking LWRP implementation funding through the 2023 CFA process to expedite the design and development of the Howk Street Gateway Enhancement Project, promising significant benefits to the local and regional community, and

WHEREAS the City of Watertown has projected the cost of these planned improvements at approximately \$575,000 and is proposing to request a grant in the amount of \$488,750 and will cover the required match to finance these improvements if the grant funding is awarded, and

WHEREAS, the grant application process recommends that the applicant's governing body authorize the application submission and related actions,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby demonstrates its support for the request of \$488,750 in funds from the New York State Department of State for the Howk Street Gateway Enhancement Project and directs the City Manager to submit an application through the Consolidated Funding Application process for the project, and to act in connection with the submission of the application, including the execution of all required certifications and forms and to provide such additional information as may be required, and

BE IT FURTHER RESOLVED that the City Council of City of Watertown pledges its financial support for the Howk Street Gateway Enhancement Project and authorizes providing the requisite 15% match for this grant, totaling a minimum of \$86,250 of cash, in-kind services and/or material, contributing towards the local share of the project costs, in line with the project budget included in the application. This reduction to a 15% match rate acknowledges the City's status as a disadvantaged community.

Seconded by Council Member Sarah V.C. Pierce and carried with all present voting yea.

Resolution No. 6 - Authorizing the Submission of a Grant Application to the New York State Office of Parks Recreation and Historic Preservation through the 2023 Consolidated Funding Application Process for the Design of the Thompson Park Amphitheater Project

Introduced by Council Member Sarah V.C. Pierce

WHEREAS the City of Watertown recently completed a Master Plan for Thompson Park which identifies a 250-seat Amphitheater as a central component for the Watertown community and the evolution of the Thompson Park overall; and

WHEREAS at the June 12, 2023 Work Session, the City Council of the City of Watertown directed staff to seek grant funding for the design of the Thompson Park Amphitheater project through the 2023 Consolidated Funding Application; and

WHEREAS the New York State Office of Parks Recreation and Historic Preservation (the “NYSOPRHP”) is accepting applications for funding through the 2023 Consolidated Funding Application (“CFA”) process, which are due by July 28, 2023; and

WHEREAS, the grant program offered through the NYSOPRHP is administered on a reimbursement basis where successful applicants will be expected to fund project expenditures upfront, then submit for reimbursement; and

WHEREAS the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located,

NOW, THEREFORE BE IT RESOLVED that for the benefit of the public, the City Council hereby authorizes and directs the City Manager or his designee to submit an application for \$247,500 in grant funds for the Thompson Park Amphitheater Design Project to the NYSOPRHP and to act in connection with the submission of the application including execution of all required certifications and forms and to provide such additional information as may be required, and

BE IT FURTHER RESOLVED that the City Council pledges its financial support for the Thompson Park Amphitheater Design Project and authorizes providing the requisite 25% match for the project totaling a minimum of \$82,500.

Seconded by Council Member Clifford G. Olney III

Prior to the vote on the foregoing resolution, Council Member Olney asked why this project was being done when there were other more urgent needs in the Park.

Mr. Mix informed Council that this is a much smaller amphitheater to be built near the Gotham Street overlook. He explained that while the buckthorn was being cleared in the park, a natural area was discovered that could be turned into an amphitheater. He reminded Council that an amphitheater was something Council had said they were interested in adding to the Park. He added that the drawings before Council (on file in the City Clerk’s office) were preliminary drawings in order to submit the grant application for design.

Council Member Olney asked for a rough guess on the total cost for such a project.

Mr. Mix offered a rough number of \$2.9 million plus \$330,000 for engineering.

Council Member Olney asked for clarification on whether this resolution was just for design.

Mr. Mix said this grant application was to apply for funding to complete a design. He added that the amphitheater would be built with grant money, which would cover 75% of the costs.

Mayor Smith inquired about the possibility of historic preservation grants for the bathhouse and bathrooms.

Mr. Mix indicated that where the bathhouse was concerned, a grant would require knowing how it was ultimately going to be used, which has not yet been determined. He also mentioned that the bathrooms were not a large enough project to apply for a grant just for those structures.

Council Member Olney expressed concerns on whether the amphitheater would interfere with the proposed dog park.

Mr. Mix explained the proposed dog park was below the Zoo on the opposite side of the Park and nowhere near this amphitheater.

Council Member Olney asked if the bathrooms for this project could be used during the Solar Eclipse celebration.

Mr. Mix noted that was unlikely due to the length of time necessary for grants.

Council Member Ruggiero sided with the Mayor that she would prefer to focus on the bathhouse and bathrooms and expressed concerns with the amphitheater seat design, citing the need for maintenance of the concrete.

At the call of the chair, a vote was taken on the foregoing resolution and was defeated with Council Member Clifford G. Olney III and Council Member Sarah V.C. Pierce voting yea and Council Member Lisa A. Ruggiero and Mayor Jeffrey M. Smith voting nay.

Resolution No. 7 - Authorizing Abate of Code Enforcement Surcharge on Real Property Tax Bill for Property at Bellew Ave S., Parcel No. 9-11-117.003

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the 2023-24 City Real Property Taxes on the property known as VL-2 Bellew Ave S., Parcel No. 9-11-117.003, are in the amount of \$575.56 of which \$111.16 represents the property taxes and \$464.40 represents a Code Enforcement re-levy, and

WHEREAS \$250.00 plus sales tax of the Code Enforcement re-levy represents a Surcharge, and

WHEREAS the owner of VL-2 Bellew Ave has requested relief from the Code Enforcement re-levy,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that the amount of \$250.00 plus sales tax for the re-levied Code Enforcement Surcharge be abated from the 2023-2024 City tax bill, and

BE IT FURTHER RESOLVED that the City Comptroller is hereby authorized to adjust the tax commitment and records accordingly and make whatever refunds necessary.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Mayor Smith asked for the purpose of this.

Mr. Mix said the owner did not feel he had received enough time to attend to the issue.

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

Resolution No. 8 - Accepting Change Order No. 7 with Power & Construction Group, Inc. for the Public Square Traffic Signal Optimization and Coordination Project, NYSDOT PIN 7807.20

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to reduce traffic congestion through the Public Square corridor, and

WHEREAS on June 21, 2021, City accepted the bid of Power & Construction Group, Inc. in the amount of \$416,287.17 for installation of equipment for the Traffic Signal Optimization and Coordination project, and

WHEREAS previous change orders have brought the current Contract amount to \$482,403.05, and

WHEREAS two new electrical services at the intersection of State and Mechanic Streets and State and High Streets for the city traffic signals were necessary and Power & Construction Group is proposing that they be paid \$4,478.07 for the work, and

WHEREAS the City entered into Agreement with Fisher Associates for the construction inspection and management of the Project, and

WHEREAS Fisher Associates along with the City Engineering Department recommends the additional work, and it is their recommendation that the City Council accept the price of \$4,478.07, and

WHEREAS the City is financing this project using Federal and State Aid.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts Change Order No. 7 from Power & Construction Group in the amount of \$4,478.07, for a new Contract total of \$486,881.12, and

BE IT FURTHER RESOLVED that the City Manager of the City Watertown is hereby authorized and directed to execute the Change Order on behalf of the City of Watertown.

Seconded by Council Member Sarah V.C. Pierce and carried with all present voting yea.

Resolution No. 9 - Approving Transportation Agreement with the Town of Watertown

Introduced by Council Member Lisa A. Ruggiero

WHEREAS, the City of Watertown operates a public mass transportation system, known as the CitiBus public transit within the boundaries of the City of Watertown, and

WHEREAS the City of Watertown and the Town of Watertown desire, for their mutual benefit, to make provision for the delivery of regular, public surface transportation to, through, and among their respective corporate limits and locations, and

WHEREAS the parties recognize the need for making contractual provision for the operation, funding, and management of such a service in the manner contemplated in Article 5-G of the New York General Municipal Law.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves the Transportation Agreement with Town of Watertown, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Kenneth A. Mix, is hereby authorized and directed to sign the Transportation Agreement.

Seconded by Council Member Sarah V.C. Pierce and carried with all present voting yea.

Resolution No. 10 - Approving Amendment Number 3 to the Agreement with Barton & Loguidice, D.P.C. for the Downtown Revitalization Initiative Streetscape Project

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City of Watertown has undertaken a Downtown Revitalization Initiative (DRI) Streetscape Project, and

WHEREAS Barton and Loguidice served as the City's lead design consultant during the design phase of the project and prepared the Bid Book as well as all construction documents on behalf of the City, and

WHEREAS the project has been under construction since July 2022, and the City's contractor has undertaken construction activities related to reconstructing the intersection of Washington and Stone Streets, and

WHEREAS on July 6, 2023, the City Council made the decision to remove some of the elements of this corner that had been installed thus far and reconfigure the corner to mitigate the lost parking, thereby necessitating a redesign, including Stamped Construction drawings for the requested reconfiguration, and

WHEREAS Barton & Loguidice has developed an amendment to the Professional Services Agreement dated July 11, 2023 between the City of Watertown and Barton & Loguidice to add Engineering services to create new stamped construction drawings for the requested reconfiguration to the scope of services for the additional amount of \$4,060.

NOW THEREFORE BE IT RESOLVED that the City Council hereby approves Amendment Number 3 to the contract with Barton & Loguidice, D.P.C., a copy of which is attached and made part of this resolution, for an additional amount not to exceed \$4,060, and,

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute Amendment Number 3 on behalf of the City.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Council Member Olney asked where this project currently stood.

Mr. Mix reminded Council that they had previously requested to have the planters removed and the parking restored.

Council Member Pierce indicated that many business owners and members of the community were upset with this decision. She inquired as to whether the planters were already being removed.

Mr. Lumbis indicated that the contractors are waiting for the results of tonight's vote to revise the plans.

Council Member Pierce asked if a compromise could be made since the planters are already installed and the cost to remove them is high. She suggested tabling this Resolution.

Council Member Ruggiero commented she frequently hears from businesses that the City routinely removes parking spots when making alterations to downtown.

Mayor Smith reminded Council that many people voiced opposition to the humped sidewalks installed on Public Square which would remove parking and, since they were installed, there have been no complaints. He said delaying the process was not in the best interest of the City.

Attorney Bullard addressed Council with his previously expressed concerns setting a precedent by changing a City project to suit one business owner and advised against letting members of the public second-guess City decisions. He agreed that tabling the Resolution might be necessary.

Motion was made by Council Member Lisa A. Ruggiero to table the foregoing resolution. Motion was seconded by Council Member Sarah V.C. Pierce and carried with all present voting in favor thereof.

Resolution No. 11 - Authorizing and Endorsing an Application for Grant Funding through the New York State Department of Environmental Conservation's Urban and Community Forestry Program

Introduced by Council Member Lisa A. Ruggiero

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

WHEREAS the City of Watertown has made the planting, care, and management of its urban forest a priority over the last three decades in the wake of several devastating storm in the 1990's, and most recently a city-wide infestation of the destructive Emerald Ash Borer, and

WHEREAS Tree Watertown, the City's Tree Advisory Board, Planning Staff and the Superintendent of Public Works, Patrick Keenan, has recommended that the City Council apply for funding through this program, and

WHEREAS City Staff will utilize data collected in the City's 2018 Tree Inventory and Management Plan to identify numerous maintenance needs, including priority pruning and necessary removal of potentially hazardous trees of various sizes throughout City streets, parks and playgrounds, and

WHEREAS the City Council of the City of Watertown is applying to the NYSDEC for a reimbursement project grant under the Urban and Community Forests Program to be located along the streets and in parks in the City, located within the territorial jurisdiction of the City Council, and

WHEREAS as a requirement of the Urban and Community Forest Program, Staff must obtain the approval/endorsement of the governing body of the municipality in which the project will be located,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves and endorses the City's application to the NYSDEC for a grant under the Urban and Community Forestry Program for a project known as the City of Watertown Street and Park Tree Maintenance Project located in the City, and

BE IT FURTHER RESOLVED that the City Manager, Kenneth A. Mix, is hereby authorized and directed to file an application for funding in an amount not to exceed \$75,000, and upon approval of said request, to enter into and execute a project agreement with the NYSDEC for such financial assistance for the City of Watertown Street and Park Tree Maintenance Project.

Seconded by Council Member Sarah V.C. Pierce and carried with all present voting yea.

Resolution No. 12 - Supporting and Authorizing a Grant Application to the New York State Department of Environmental Conservation through the Water Quality Improvement Project Program for the City of Watertown Salt Storage Facility Project

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City of Watertown owns and operates an uncovered salt storage pile at the DPW facility located near the intersection of Newell Street and Engine Street, and

WHEREAS the City of Watertown is proposing the City of Watertown Salt Storage Facility Project which includes the construction of a new salt storage structure to enclose the existing uncovered salt storage, and

WHEREAS the Project will protect the Black River, the municipal water supply source, from the potential of salt-contaminated runoff from the uncovered salt storage pile, and

WHEREAS the NYS Department of Environmental Conservation (DEC) Water Quality Improvement Project (WQIP) program is a competitive, statewide reimbursement grant program open to local governments to implement projects that directly improve water quality or protect a drinking water source, and

WHEREAS the NYS DEC WQIP Salt Storage Program requires a local match of 25% of the award amount for new salt storage structures to enclose an uncovered salt storage pile, and

WHEREAS, the City of Watertown is seeking funding through the NYS DEC WQIP Grant, and

WHEREAS NYS DEC requires a resolution by the municipality supporting the project,

NOW THEREFORE, IT IS RESOLVED that the City of Watertown City Council hereby supports the proposed City of Watertown Salt Storage Facility Project and authorizes an application for funding to the NYS DEC WQIP Grant Program, and

Seconded by Council Member Sarah V.C. Pierce and carried with all present voting yea.

Resolution No. 13 - Accepting a Grant from the Division of Criminal Justice Services to Fund Radios Used in Hot Spot Policing

Introduced by Council Member Lisa A. Ruggiero

WHEREAS, the New York State Division of Criminal Justice Services has offered a grant of \$50,000 to the City of Watertown; and

WHEREAS, these funds are designated to support costs for radios utilized in "hot spot" patrols, enhancing our ability to ensure public safety and respond promptly and effectively to criminal activities; and

WHEREAS, the acceptance of this grant aligns with our mission to safeguard our community and focus on those areas where a stronger police presence is necessary;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby accepts the grant of \$50,000 from the New York State Division of Criminal Justice Services; and

BE IT FURTHER RESOLVED that the Mayor of the City of Watertown is hereby authorized and directed to sign the award notice, thereby formalizing the acceptance of this grant.

Seconded by Council Member Sarah V.C. Pierce and carried with all present voting yea.

Resolution No. 14 - Authorizing Amendment No. 4 of the GHD Consulting Services Agreement for the Water Treatment Plant Disinfection By-Product Project

Introduced by Council Member Lisa A. Ruggiero

WHEREAS, GHD Consulting Services Inc., and the City of Watertown entered into an Agreement dated April 5, 2022 to perform engineering services for a disinfection by-products system to reduce TTHM's and HAA5's, in the amount of \$43,900; and

WHEREAS the agreement with GHD was first amended to include pilot rentals/commissioning, analyses, sampling, and reporting services, which increased the contract by \$663,000, and

WHEREAS Amendment No. 2 added \$20,405.00 to the cost for a funding schedule, an interim report, SEQR assistance, WIIA/IMG funding assistance, DCIP funding assistance, and additional services, and

WHEREAS Amendment No. 3 added \$49,300.00 to the cost for an extension of the lease of Pilot Enclosure No. 2 by two weeks, an archaeological assessment, and additional sampling, and

WHEREAS GHD has submitted Amendment No. 4 for the design of a new flocculation/sedimentation basin, addition of an ozonation system to the WTP, and converting the existing filters to GAC filters,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Amendment No. 4 of the GHD agreement, a copy of which is attached and made part of this resolution, to include the additional services with an increase of \$2,925,000, bringing the contract total to \$3,701,605, and

BE IT FURTHER RESOLVED that the City Manager, Kenneth Mix, is hereby authorized and directed to execute the Professional Services Agreement on behalf of the City of Watertown.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Council Member Olney expressed concerns with the escalating costs and changes to this project, suggesting the City seek another contractor.

Mr. Mix noted that when the City does an RFP, cost is not the only factor in making a decision. He noted that some of the changes made have to do with the ever-evolving scope of the project.

Attorney Bullard advised that the City has an existing contract with GHD and a change cannot be made at this time to a different contractor.

Mayor Smith noted that he has faith that staff has chosen the best company to complete this work and advised that he has met with many State officials and received bi-partisan support to go ahead with this project. He stressed the importance of getting this work done and noted his belief that the City is very close to receiving funds to assist with the costs.

Council Member Olney cited his concerns with the New York State Design/Build policies which he feels are outdated and suggested contractors will overcharge based on what the City says it is willing to pay. He noted that this way of doing business does not result in the best price.

Mr. Mix stated that this is the legal way to complete a project such as this and the City is regulated by the laws of New York State.

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

ORDINANCES

Ordinance No. 1 - Amending Chapter 216: Parks, Playgrounds, and Recreational Areas of the City Code – Revising Thompson Park Hours

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City Council wishes to expand the hours that John C. Thompson Park is open to the public,

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Watertown that Paragraph “C” of Section 216-3 of the City Code is replaced in whole to read as follows: “C. No person shall enter or remain in John C. Thompson Park from 11:00 p.m. to 5:00 a.m., except for the purpose of driving through without stopping, other than for traffic signs.”, and

BE IT FURTHER ORDAINED this amendment to the City Code 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 Sarah V.C. Pierce

Motion for unanimous consent moved by Council Member Lisa A. Ruggiero and seconded by Council Member Sarah V.C. Pierce. All present voted in favor thereof, however, Council Member Patrick J. Hickey was not present to vote, and therefore, the motion was defeated.

Laid over under the Rules.

STAFF REPORTS

Thompson Park Golf Course Update

Referring to the report, Mayor Smith informed Council that the listed net revenue was not profit as the expenses are not listed. He asked when Council might be able to see those numbers.

Mr. Mix indicated that there might be a more complete report in August but that preliminary numbers indicate expenses of \$330,000, not counting the electrical work.

City Comptroller James Mills noted there would be better numbers available once all the expenses were accounted for, adding there was one more pay period to be included.

Mr. Mix noted that the numbers for the Golf Course are always going to be complicated by the fact that the fiscal year ends right in the middle of golf season. He suggested the City would have a more accurate picture after owning the Golf Course for a full year.

Attorney Bullard requested the numbers for the electrical work completed at the Golf Course.

NEW BUSINESS

Mayor Smith's Responses to Comments during Privilege of the Floor

Prior to the discussion under Staff Reports, Mayor Smith took time to address comments made during the Privilege of the Floor.

Mr. Riendeau's Comments

In response to Mr. Riendeau's comments about Academy Street's road construction, Mayor Smith noted that Park Circle is not being rebuilt, just repaved.

Mr. Delaney confirmed there would be no change to the traffic circle.

Mr. Mix added that any changes to that street would be difficult due to it being within the historic Park.

In response to Mr. Riendeau's comments about more Public Hearings, Mayor Smith stated that Public Hearings are often poorly attended with no public comments so they can be discouraging.

Attorney Bullard noted that having more Public Hearings is always a good idea because it serves as a backup later when the public has concerns. He advised this was good protection for Council.

Mr. Spaziani's Comments

Mayor Smith noted there were no trout in the stream stemming from the leak in the reservoir.

Mr. Mix added that staff has been working to find the source of the leak and divers have been in the reservoir to attempt to find it without success. He noted they were contacting an engineer specializing in reservoirs.

Dr. Kimball's Comments During Privilege of the Floor

Mayor Smith stated that while Dr. Kimball is right that it is ideal to keep properties on the tax roll, this particular house is in a lower-income neighborhood and all the neighbors want the blighted house to be torn down. He noted that if this had been in a higher-income neighborhood the building would have already been torn down long ago and expressed regret with how long the City has taken to act.

Council Member Olney's Responses to Comments during Privilege of the Floor

In regard to Mr. Spaziani's comments, Council Member Olney stated that he agreed with Mr. Spaziani about the amphitheater but noted that when he considers the Comprehensive Plan, some of the proposed changes are exciting. He commented that one person's financially responsible investment is another person's wasteful spending. He said that was politics. He stated that it was his belief that any investment in recreational resources was an investment in the City's future revenue stream.

Tax Rate Increase

Council Member Olney questioned why some people's taxes have gone up since the tax rate went down last year. He stated his belief that an economy driven by property taxes is antiquated and the City should seek a more recreational economy driven by sales tax.

Town of Watertown Event Center

Council Member Olney informed Council that he had spoken to Town Supervisor Joel Bartlett about the event center and noted they were very close to going ahead with it. He stated that, contrary to previous concerns about the event center having a negative impact on the City's arena, the Town's event center could generate \$150,000,000 in sales tax revenue. He suggested this could earn the City \$1.5 million.

Court Street DRI Streetscape Project Parking Spots

Council Member Olney cited concerns from business owners on Court Street with the removal of parking spaces and suggested asking the television station to share their parking lot.

Flower Library 120th Anniversary

Council Member Pierce informed Council that the Library was celebrating its 120th Anniversary with a number of events and celebrations. She requested Council issue a proclamation to recognize the occasion.

Blue Ribbon Panel

Council Member Pierce asked whether the Blue Ribbon panel was making any progress.

Mayor Smith noted they were still making contacts in an attempt to get the right people on board.

Overgrown Roundabout

Council Member Pierce reminded Council that at a previous meeting she had mentioned the overgrown roundabout on Route 11, north of the City. She advised that she has learned that it is a dedicated monarch butterfly sanctuary and that is why the wildflowers are allowed to grow unchecked. She noted she wrote to the State Department of Transportation to suggest ways to make the area look nicer and to perhaps add signage to indicate the sanctuary.

Summer Reading Program

Council Member Pierce informed Council that she had created a summer reading program which entailed leaving flying discs in areas hidden around the City and having those who find them submit a photo of themselves with the disc and the book they read to receive a free ice cream cone.

Police Academy Graduation

Council Member Ruggiero mentioned that she had attended the recent graduation ceremony.

Senior Center Meeting/Office of the Aging

Council Member Ruggiero informed Council that she had attended the recent proposed Senior Center meeting and at the meeting they had agreed to form a steering committee, as well as create a vision and mission statement. She added that they had discussed seeking not-for-profit status. Council Member Ruggiero mentioned that Council has been invited to attend the Office of the Aging Picnic where she could potentially get input from 400 senior citizens.

Flynn Pool Groundbreaking

Council Member Ruggiero noted the groundbreaking for the Flynn Pool had been held on July 11 and they had great weather that day.

Northern Association of Village & Town Clerks

Council Member Ruggiero mentioned she was attending this meeting on July 21 and the guest speaker will be Kristin O'Neill of the New York State Committee on Open Government.

Change of Garrison Command at Fort Drum

Mayor Smith noted the Change of Garrison Command would be held at Fort Drum on Thursday.

Tax Rate/Tax Levy

Referring to Council Member Olney's comments about taxes going up when the tax rate goes down or remains the same, Mayor Smith indicated this could be confusing. He stated there was a difference between the tax levy (the amount of taxes the City collects) and the property tax rate. He mentioned that property tax rate is the only tax the City has control of since hydro rates and sales tax rates are out of the City's control. He further explained that even when the tax rate remains the same, the tax levy can go up and the assessments can rise.

Mr. Spaziani's Comments During Privilege of the Floor (continued)

Mayor Smith commented that Mr. Spaziani was a proponent of both the golf course and the pool, so it was a matter of perspective on which projects are fiscally responsible and which ones are not.

Recreational Facilities in the City

Mayor Smith noted that he is not against recreation in the City of Watertown, but reminded Council that he thinks three pools is one pool too many and advocates funding facilities that can be used more months out of the year, such as the proposed skate park.

Attorney Bullard's Comments

Attorney Bullard thanked Council for the recent high levels of decorum at Council meetings. He also commented that property taxes are how communities fund their finances.

Motion was made by Council Member Lisa A. Ruggiero to move into Executive Session to discuss the proposed acquisition, sale, or lease of real property and to discuss proposed, pending or current litigation.

Motion was seconded by Council Member Sarah V.C. Pierce and carried with all present voting in favor thereof.

Council moved into Executive Session at 8:50 p.m.

Council reconvened at 9:12 p.m.

A D J O U R N M E N T

At the call of the chair, meeting was duly adjourned at 9:12 p.m. by motion of Council Member Lisa A. Ruggiero, seconded by Council Member Clifford G. Olney III and carried with all present voting in favor thereof.

Lisa M. Carr
City Clerk