

CITY COUNCIL MEETING

September 22, 2014

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Mayor Nelson called the meeting to order and asked the Clerk to call the roll:

PRESENT: Mayor Nelson, Councillors Ashley, Hosmer, Mitchell, Morley*, Skamperle and Stevenson

ABSENT: None

PRESENTATION

1. David Whalen of Time Warner Cable made a presentation to Council regarding the merger with Comcast. Mr. Whalen said the merger is not expected to be finalized until early 2015, and Ogdensburg will become part of Comcast when the merger is complete. Mr. Whalen said that in 1992 cable control was deregulated and explained what portions of the contract are now negotiable.

Mayor Nelson said there are quality problems in our area. Mr. Whalen explained they can evaluate throughput speeds and check for points of weakness. Mr. Whalen said consumers need to call when they have problems. Councillor Stevenson explained when the business class service slowed down in the past it took Time Warner six months to upgrade and fix the problem. Mr. Whalen advised he will review the upgrade process. Councillor Ashley said when a customer calls with a problem it takes two to four days to get the problem resolved. Mr. Whalen said he will review the service call log.

City Manager John Pinkerton asked about possible discounts for municipal services. Mr. Whalen explained Time Warner is developing a plan to offer discounts to municipalities and not-for-profit organizations. Mr. Whalen said he will keep Mr. Pinkerton updated. Mayor Nelson said he hoped to be able to broadcast City Council meetings live and provide emergency broadcasts in the future. Mr. Whalen explained an encoder and decoder would be required, and he will research the cost.

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2. Julie Madlin, City Historian, made a presentation to Council demonstrating how QR codes work.

**Councillor Morley left the meeting at this point.*

CORRESPONDENCE

1. City Clerk Kathleen Bouchard read a letter from Rhonda Roethel, Lions Club, requesting to hold the 2014 Holiday Light Up the Night Parade on November 22, 2014 on State Street/Route 68. (A copy of the letter follows these minutes.)

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #16-2014 in the amount of \$2,633,555.57 and Library Fund Warrant #16-2014 in the amount of \$21,053.78 and Capital Fund Warrant #16-2014 in the amount of \$134,088.39 and Community Development Fund Warrant #16-2014 in the amount of \$334.64 and Community Renewal Fund Warrant #16-2014 in the amount of \$0.00 and HOME Fund Warrant #16-2014 in the amount of \$0.00 and AHC Funds Warrant #16-2014 in the amount of \$0.00 and NSP Funds Warrant #16-2014 in the amount of \$0.00 as audited, be and the same are ordered paid and Councillor Ashley seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Mayor Nelson moved a resolution calling for a public hearing and public notice on a proposed amendment to the Official City Map (deleting a portion of unnamed paper street between Plover Avenue and paper Rosseel Street), and Councillor Skamperle seconded to wit:

A RESOLUTION OF THE CITY COUNCIL
CITY OF OGDENSBURG
TO PROVIDE FOR PUBLIC NOTICE AND PUBLIC HEARING

WHEREAS, the City desires to amend the Official City Map of the City of Ogdensburg by deleting the following: that portion of unnamed paper street between the Plover Hill Avenue and paper Rosseel Street to allow for area redevelopment,

NOW, THEREFORE, BE IT RESOLVED that the City Council shall hold a public hearing in the matter of this amendment to the Official City Map to be held in the City Council Chambers at City Hall, Ogdensburg, New York, on the 14th day of October, 2014, at 7:00 p.m., and

BE IT FURTHER RESOLVED that the City Clerk give notice of such public hearing by publication in the official newspaper at least seven (7) days before the hearing date setting forth the time and place of the hearing.

The vote was:

CARRIED, AYES ALL

**Councillor Morley returned to the meeting at this point.*

2. Mayor Nelson moved a resolution calling for a public hearing regarding an ordinance to name 8 unnamed City lanes, and Councillor Ashley seconded to wit:

RESOLUTION INTRODUCING AN ORDINANCE
AND PROVIDING FOR PUBLIC NOTICE
AND PUBLIC HEARING

BE IT RESOLVED, that Ordinance No. ____ of 2014, entitled "An Ordinance to name 8 unnamed City lanes on the Official City Map, be and it hereby is introduced before the City Council of the City of Ogdensburg, New York, and

BE IT FURTHER RESOLVED, that the City Council shall hold a public hearing in the matter of the adoption of the aforesaid Ordinance to be held at the Council Chambers in the City of Ogdensburg, New York, on the 14th day of October, 2014, at 7:00 p.m., and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication in the official newspaper at least seven (7) days before the hearing date of a notice setting forth the time and place and describing the proposed ordinance in summary form.

The vote was:

CARRIED, AYES ALL

3. Mayor Nelson moved a resolution calling for a public notice and public hearing with regard to an amendment to Chapter 189 of the Ogdensburg Municipal Code, entitled "Streets and Sidewalks", and Councillor Ashley seconded to wit:

RESOLUTION OF THE CITY COUNCIL INTRODUCING
AN AMENDMENT TO CHAPTER 189 – STREETS AND SIDEWALKS
OF THE CODE OF THE CITY OF OGDENSBURG
AND PROVIDING FOR PUBLIC NOTICE AND PUBLIC HEARING

BE IT RESOLVED that the ordinance entitled "Ordinance Amending Chapter 189 – ‘Streets and Sidewalks’ of the Code of the City of Ogdensburg" be and it hereby is introduced before the City Council of the City of Ogdensburg, New York, and

BE IT FURTHER RESOLVED that the City Council shall hold a public hearing in the matter of the adoption of the aforesaid ordinance to be held in the City Council Chambers, City Hall, 330 Ford Street, Ogdensburg, New York, on Tuesday the 14th day of October, 2014, at 7:00 p.m., and

BE IT FURTHER RESOLVED that the City Clerk give notice of such public hearing by publication, in the official newspaper, at least seven days before the hearing date, of a notice setting forth the time and place and describing the proposed ordinance in summary form.

The vote was:

CARRIED, AYES ALL

4. Councillor Skamperle moved a resolution authorizing the City Manager to sign a NYSDOT Undertaking Agreement to allow the 2014 Holiday Light Up the Night Parade route to be designated as State Street (Route 68), and Councillor Ashley seconded to wit:

RESOLUTION TO AUTHORIZE THE CITY MANAGER
TO SIGN A NYSDOT UNDERTAKING AGREEMENT

WHEREAS, the New York State Department of Transportation (NYSDOT) requires an Undertaking Agreement to allow the 2014 Holiday Light Up the Night Parade route to be designated as State Street (Route 68), and

NOW, THEREFORE, BE IT RESOLVED that the City Manager, John M. Pinkerton, is hereby authorized and directed to sign an Undertaking Agreement with the NYSDOT to allow the 2014 Holiday Light Up the Night Parade route to be designated as State Street (Route 68).

The vote was:

CARRIED, AYES ALL

5. Mayor Nelson moved a resolution to provide for public notice and public hearing with regard to an amendment to Chapter 221 of the City's Zoning Ordinance, and Councillor Skamperle seconded to wit:

RESOLUTION OF THE CITY COUNCIL INTRODUCING
AN AMENDMENT TO THE ZONING ORDINANCE
AND PROVIDING FOR PUBLIC NOTICE AND PUBLIC HEARING

BE IT RESOLVED that the ordinance entitled "Ordinance Amending Chapter 221 entitled 'Zoning' of the City of Ogdensburg Municipal Code" be and it hereby is introduced before the City Council of the City of Ogdensburg, New York, and

BE IT FURTHER RESOLVED that the City Council shall hold a public hearing in the matter of the adoption of the aforesaid ordinance to be held in the City Council Chambers, City Hall, 330 Ford Street, Ogdensburg, New York, on Tuesday the 14th day of October, 2014, at 7:00 p.m., and

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BE IT FURTHER RESOLVED that the City Clerk give notice of such public hearing by publication, in the official newspaper, at least seven days before the hearing date, of a notice setting forth the time and place and describing the proposed ordinance in summary form.

The vote was:

CARRIED, AYES ALL

6. Mayor Nelson moved a resolution to provide for public notice and public hearing with regard to an amendment to add Chapter 38 entitled "Joint Planning and Zoning Commission" to the Code of the City of Ogdensburg, and Councillor Ashley seconded to wit:

RESOLUTION OF THE CITY COUNCIL INTRODUCING
AN AMENDMENT TO THE OGDENSBURG MUNICIPAL CODE
AND PROVIDING FOR PUBLIC NOTICE AND PUBLIC HEARING

BE IT RESOLVED that the ordinance entitled "Ordinance Adding Chapter 38 entitled 'Joint Planning and Zoning Commission' of the City of Ogdensburg Municipal Code" be and it hereby is introduced before the City Council of the City of Ogdensburg, New York, and

BE IT FURTHER RESOLVED that the City Council shall hold a public hearing in the matter of the adoption of the aforesaid ordinance to be held in the City Council Chambers, City Hall, 330 Ford Street, Ogdensburg, New York, on Tuesday the 14th day of October, 2014, at 7:00 p.m., and

BE IT FURTHER RESOLVED that the City Clerk give notice of such public hearing by publication, in the official newspaper, at least seven days before the hearing date, of a notice setting forth the time and place and describing the proposed ordinance in summary form.

The vote was:

CARRIED, AYES ALL

7. Mayor Nelson moved a resolution to provide for public notice and public hearing with regard to the sale of City-owned property located at 1313 Ford Street, and Councillor Morley seconded to wit:

RESOLUTION OF CITY COUNCIL INTRODUCING ORDINANCE
AND PROVIDING FOR PUBLIC NOTICE
AND PUBLIC HEARING

BE IT RESOLVED, that Ordinance No. entitled "An Ordinance to Offer for Sale at Public Auction City-Owned Property " be and it hereby is introduced before the City Council of the City of Ogdensburg, New York, and

BE IT FURTHER RESOLVED, that the City Council shall hold a public hearing in the matter of the adoption of the aforesaid ordinance to be held at the Council Chambers in the City of Ogdensburg, New York, on Tuesday the 14th day of October, 2014, at 7:00 p.m., and

BE IT FURTHER RESOLVED that the City Clerk give notice of such public hearing by publication in the official newspaper at least seven (7) days before the hearing date of a notice setting forth the time and place and describing the proposed ordinance in summary form.

The vote was:

CARRIED, AYES ALL

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OLD BUSINESS

1. Councillor Morley asked if our police department's pursuit policy has changed following the accident that occurred outside of City limits involving one of our police patrols. Police Chief Richard Polniak said he reviewed the pursuit policy and does not believe it requires updating. Chief Polniak explained the police department's response is determined by the circumstances and the case. Chief Polniak said he will provide City Manager John Pinkerton with the pursuit policy to be included Council's update.

2. Councillor Skamperle requested an update on damage or liability claims regarding brush pickup. City Manager John Pinkerton said he will obtain that information for Council.

3. Councillor Stevenson asked for a Town Hall meeting to be scheduled over the winter with the City Assessor and the Board of Assessment & Review to explain the assessment process and appeal procedures. There was a consensus of Council for the meeting to be scheduled. Councillor Skamperle asked how many properties were reviewed and changed this year. City Manager John Pinkerton said he will obtain that information for Council.

4. Councillor Stevenson asked for the safety policy of the Department of Public Works. City Manager John Pinkerton said he will provide that information to Council in the update.

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NEW BUSINESS

1. Councillor Morley said Paterson Street residents received a letter regarding the new trees to be planted as part of the Paterson Street Reconstruction Project. Councillor Morley asked why no maple trees are being planted on Paterson Street. Director of Planning & Development Andrea Smith explained maple trees are susceptible to disease and not recommended for planting under utility lines because of their size.

ITEMS FOR DISCUSSION

1. City Manager John Pinkerton suggested a review of the City policy regarding the handling of open burning and recreational fire complaints. Mr. Pinkerton explained that currently complaints are made to the Police Department. Mr. Pinkerton suggested those calls be handled by the Fire Department because they have better resources for these types of complaints. Mr. Pinkerton explained he planned to meet with Police Chief Richard Polniak and Fire Chief Michael Farrell to discuss this matter.

2. Public Works Director Scott Thornhill presented Council with the options available for the upper Lake Street area. (A copy of his presentation material follows these minutes.)

Councillor Hosmer asked if we have determined why we changed upper Lake Street back to two way traffic. City Manager John Pinkerton said he will get that information for Council.

Mayor Nelson asked that a hard copy of the options for upper Lake Street be provided to Council for review.

On a motion duly made and seconded, the meeting was adjourned.