

CITY COUNCIL MEETING

May 11, 2015

Page 186

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

There was a consensus of Council to move Personal Appearances after Items for Council Action.

Mayor Nelson said the New York State Conference of Mayors (NYCOM) recognized the City of Ogdensburg for its Energy Conservation Program in the Local Government Achievement Awards Program. Mayor Nelson said the award was presented to City Manager John Pinkerton in Albany. Mayor Nelson described the City programs and achievements which attributed to this recognition. Mr. Pinkerton said Council should also be congratulated.

PUBLIC HEARING

Mayor Nelson read the public hearing procedures to the audience due to the number of public hearings scheduled. Mayor Nelson explained that in an effort to keep the meeting orderly, public comments will be limited to five minutes and speakers will be notified by the City Clerk when they are within one minute of their remaining time.

1. A public hearing regarding an ordinance to amend Chapter 221 entitled "Zoning", specifically concerning Lincoln School property bounded by Rosseel Street, Knox Street, Jay Street and Judson Street in the City of Ogdensburg to be rezoned from Single-Family Residential (SFR) to a Planned Development District (PDD) was held.

CITY COUNCIL MEETING

May 11, 2015

Page 187

Councillor Stevenson explained that upon the advice of City Attorney Andy Silver, she will recuse herself from all discussions, deliberations and voting regarding the PDD application because Step by Step is her former client.

City Clerk Kathleen A. Bouchard read a letter from Richard Clouthier opposing the zoning change. (A copy of the letter follows these minutes.)

The following people spoke in support of the PDD application:

- a) Joann Thorpe, 334 County Route 28A
- b) Martha Shaver, 202 Washington Street
- c) Carlo A.C. de Oliveria, Esq. of Cooper Erving & Savage, LLP, attorney for Step by Step (presented the sex offender status search to Council)
- d) Connie Shannon-Harrell, 510 Irvin Street
- e) Kassi Pharoah, 912 Franklin Street (read a letter)
- f) Gina Shoen, 729 Pickering Street
- g) Stephanie Jones, 415 Caroline Street (read letters from John B. Allen, Special Assistant to the Commissioner for the Office of Mental Health, and Katie at Busy Corner Café)
- h) Roberta Haggerty, 1001 State Street
- i) Barbara Briggs Ward, 4348 State Highway 37 (read a letter)

The following people spoke in opposition of the PDD application:

- a) Brenda LaRose, 510 Rosseel Street (read a letter)
- b) Dean Hebert, 516 Park Street
- c) Roxanne Adams, 603 Grant Street
- d) Pat Woods, 515 Judson Street
- e) Carol Shaver, 1610 Lafayette Street (presented a petition to Council)
- f) Bridget Bice, 512 Seymour Street
- g) Ed Dana, 2127 Ford Street
- h) Catherine Johnson, 1401 Knox Street
- i) Sue Ellen Piercey, 1407 Knox Street
- j) Joseph Cosentino, 612 Lee Road

CITY COUNCIL MEETING

May 11, 2015

Page 188

No one else being present to speak, the hearing was declared closed. (Copies of the petition and written statements submitted by speakers follow these minutes.)

2. A public hearing to add Article VII, Adaptive Reuse District, to the Ogdensburg Municipal Code pending County review was held.

City Clerk Kathleen A. Bouchard read a letter of support from Bishop Terry LaValley of the Diocese of Ogdensburg. (A copy of the letter follows these minutes.)

The following people spoke in support of the ARD:

- a) Roberta Haggerty, 1001 State Street
- b) Carlo A.C. de Oliveria, Esq. of Cooper Erving & Savage, LLP, attorney for Step by Step
- c) Cindy Cole, 515 Washington Street
- d) Douglas McAdam, 426 Riverside Avenue

The following people spoke in opposition of the ARD:

- a) Brenda LaRose, 510 Rosseel Street (read a letter)
- b) Carol Shaver, 1610 Lafayette Street
- c) Marcy O'Neil, 411 Jay Street
- d) Sue Ellen Piercey, 1407 Knox Street

(A copy of the letter submitted follows these minutes.) No one else being present to speak, the hearing was declared closed.

3. A public hearing to amend Chapter 221 entitled "Zoning" of the City of Ogdensburg Municipal Code pending County Review amending Chapter 221 entitled "Zoning", §221-73 entitled "Zoning Board of Appeals; appeals procedure" by adding §221-73.E.(3) entitled "Adaptive Reuse Permit" to the City of Ogdensburg Municipal Code was held. No one being present to speak, the hearing was declared closed.

CITY COUNCIL MEETING

May 11, 2015

Page 189

4. A public hearing regarding a proposed ordinance to license municipal property in the Greenbelt to Scott Strader was held. No one being present to speak, the hearing was declared closed.

5. A public hearing regarding a proposed ordinance to amend Chapter 221 entitled "Zoning" of the City of Ogdensburg Municipal Code, specifically concerning the old Bishop Conroy School property consisting of approximately .619 acres bounded by Washington and Morris Streets to be rezoned from Single-Family Residential (SFR) to Residential Business (R/B) was held.

The following people spoke in support of the rezoning:

- a) Cindy Cole, 515 Washington Street
- b) Ronald Romano, 401 William Street

City Clerk Kathleen A. Bouchard read a letter of support from Bishop Terry LaValley of the Diocese of Ogdensburg. (A copy of the letter follows these minutes.) No one else being present to speak, the hearing was declared closed.

6. A public hearing regarding a proposed ordinance to sell City-owned property located at 1420 Ford Street was held. No one being present to speak, the hearing was declared closed.

CORRESPONDENCE

1. City Clerk Kathleen A. Bouchard read a letter from Allan Mooney of the American Legion Post 69 requesting permission to hold a Memorial Day Parade in the City on Monday, May 25, 2015. (A copy of the letter follows these minutes.)

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #9-2015 in the amount of \$499,367.38 and Library Fund Warrant #9-2015 in the amount of \$27,241.65 and Capital Fund Warrant #9-2015 in the amount of \$0.00 and Community Development Fund Warrant #9-2015 in the amount of \$0.00 and Community Renewal Fund Warrant #9-2015 in the amount of \$1,790.00 as audited, be and the same are ordered paid and Councillor Stevenson seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Mayor Nelson made a motion to bring an ordinance to sell City-owned property located at 905 Mechanic Street at public auction off the table, and Councillor Mitchell seconded to wit:

ORDINANCE #7 of 2015
AN ORDINANCE TO OFFER FOR SALE AT PUBLIC AUCTION
CITY OWNED PROPERTY

BE IT ORDAINED AND ENACTED by the City Council of the City of Ogdensburg, New York, as follows:

SECTION ONE:

The following property shall be offered for sale at public auction by the City of Ogdensburg:

<u>TAX MAP #</u>	<u>LOCATION</u>	<u>MINIMUM PURCHASE PRICE</u>	<u>RESTRICTION(S)</u>
59.023-12-2	905 Mechanic Street	\$1,950. (includes estimated \$400. Attorney, \$350. SLC recording fee & \$700. survey fee)	A Non-Conforming lot. An adjacent owner would need to combine & record.

SECTION TWO: The City does not guarantee clear property title in the transfer of property by auction and conveyance will be made by Quit Claim Deed. The City Council reserves the right to reject any or all bids or to withdraw any parcel from sale.

SECTION THREE: This ordinance shall become effective ten days after publication.

The vote to bring the ordinance off the table was:

CARRIED, AYES ALL

The vote on the ordinance was:

CARRIED, AYES ALL

2. Councillor Ashley moved an ordinance to license municipal property in the Greenbelt to Scott Strader, and Councillor Morley seconded to wit:

ORDINANCE #9 OF 2015
AN ORDINANCE TO AUTHORIZE A LICENSE OF
MUNICIPAL PROPERTY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
OGDENSBURG, NEW YORK, AS FOLLOWS:

ITEM ONE: An ordinance to authorize a license of municipal property in the Greenbelt to Scott Strader.

ITEM TWO: The City Manager has presented the attached proposed agreement to license space at the asphalt pad in the Greenbelt on Riverside Avenue, commonly referred to as the "Concession Stand Area".

ITEM THREE: The City Manager is hereby authorized to execute the attached license agreement, hereby made part of this ordinance.

ITEM FOUR: Passage of this ordinance shall be by a vote of three-fourths (3/4) of all members of the City Council.

ITEM FIVE: This ordinance shall take effect ten (10) days after publication of notice that shall give the title and describe same in summary form.

The vote was:

CARRIED, AYES ALL

3. Mayor Nelson made a motion to bring a resolution to approve the sale of 909,915 Lafayette Street to Edward & Robin E. Chambers off the table, and Councillor Morley seconded to wit:

RESOLUTION TO APPROVE THE SALE
OF TAX PARCEL #48.080-5-5.1
TO EDWARD AND ROBIN E. CHAMBERS

CITY COUNCIL MEETING

May 11, 2015

Page 193

WHEREAS, Edward & Robin E. Chambers have made a purchase offer for City-owned property located at 909,915 Lafayette Street identified as Tax Parcel #48.080-5-5.1 as obtained by the City under Real Property Tax Sale Law, Article 11, Foreclosure Proceedings, and

WHEREAS, New York State Real Property Tax Law §1166 states that:

1. Whenever any tax district shall become vested with the title to real property by virtue of a foreclosure proceeding brought pursuant to the provisions of this article, such tax district is hereby authorized to sell and convey the real property so acquired, either with or without advertising for bids, notwithstanding the provisions of any general, special or local law.
2. No such sale shall be effective unless and until such sale shall have been approved and confirmed by a majority vote of the governing body of the tax district, except that no such approval shall be required when the property is sold at public auction to the highest bidder; and

WHEREAS, the redevelopment of this property is consistent with the Goals of the Strategic Management Plan, particularly the Goals for a Balanced, Sustainable Local Economy and Revitalizing Aging Neighborhoods and Commercial Areas; and

WHEREAS the City Manager has negotiated a sale price of \$13,250.00 (amount includes estimated \$400. Attorney fee & \$350. SLC Recording Fee);

NOW BE IT THEREFORE RESOLVED, that the City Council in accordance with New York State Real Property Tax Law § 1166, hereby authorizes the City Manager to sell Tax Parcel #48.080-5-5.1 to Edward & Robin E. Chambers for \$13,250.00., subject to City Attorney's review and approval of sales documents.

The vote to bring the resolution off the table was:

CARRIED, AYES ALL

The vote on the resolution was:

CARRIED, AYES ALL

4. Councillor Stevenson moved an ordinance to sell City-owned property located at 1420 Ford Street, and Councillor Ashley seconded to wit:

ORDINANCE #8 of 2015
AN ORDINANCE TO OFFER FOR SALE AT PUBLIC AUCTION
CITY OWNED PROPERTY

BE IT ORDAINED AND ENACTED by the City Council of the City of Ogdensburg, New York, as follows:

SECTION ONE:

The following property shall be offered for sale at public auction by the City of Ogdensburg:

<u>TAX MAP #</u>	<u>LOCATION</u>	<u>MINIMUM PURCHASE PRICE</u>	<u>RESTRICTION(S)</u>
48.064-3-36	1420 Ford Street	\$3,050. (includes estimated \$400. Attorney, \$350. SLC recording fee & \$700. survey fee)	A Non-Conforming lot. An adjacent owner would need to combine & record.

CITY COUNCIL MEETING

May 11, 2015

Page 195

SECTION TWO: The City does not guarantee clear property title in the transfer of property by auction and conveyance will be made by Quit Claim Deed. The City Council reserves the right to reject any or all bids or to withdraw any parcel from sale.

SECTION THREE: This ordinance shall become effective ten days after publication.

Councillor Morley asked for the amount of unpaid taxes and maintenance expenses for this property. City Manager John Pinkerton said he will obtain that information for Councillor Morley.

The vote was:

CARRIED, AYES ALL

5. Mayor Nelson moved a resolution providing for public notice and public hearing regarding an amendment to the Ogdensburg Municipal Code, Chapter 181 entitled Solid Waste, and Councillor Stevenson seconded to wit:

INTRODUCING ORDINANCE #_ FOR 2015

BE IT RESOLVED that proposed Ordinance #_ of the year 2015 entitled:

Amendment to Chapter 181, entitled Solid Waste, of the Ogdensburg Municipal Code of the City of Ogdensburg be and it hereby is introduced before the City Council of the City of Ogdensburg, NY, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Ordinance be laid upon the desk of each member of the City Council, and

CITY COUNCIL MEETING

May 11, 2015

Page 196

BE IT FURTHER RESOLVED, that the City Council hold a Public Hearing on said proposed Ordinance at the City Council Chambers at 7:00 pm on Tuesday, May 26, 2015, and

BE IT FURTHER RESOLVED that the City Clerk publish or cause to be published a public notice in the official newspaper of the City of Ogdensburg of said public hearing at least seven days prior thereto.

The vote was:

CARRIED, AYES ALL

PERSONAL APPEARANCE

1. Connie Shannon-Harrell, 510 Irvin Street, addressed the services provided by Step by Step. She said since Step by Step purchased Lincoln School, the Ogdensburg City School District saves approximately \$6,000 per month which can be used to cover other expenses. She added Step by Step began offering transportation at a lower cost when the local bus company closed. Ms. Shannon-Harrell explained taxpayers save \$1,000 each day that a local Step by Step participant is not an inpatient. Ms. Shannon-Harrell said the potential savings because of this program are huge.

2. Barbara Briggs Ward, 4348 State Highway 37, addressed the stigmatism associated with mental illness. Ms. Ward explained most people don't realize it exists until they are personally impacted. Ms. Ward said many from this community have benefited from good salaries and benefits while mental health patients were hospitalized at the St. Lawrence Psychiatric Center. Ms. Ward told a story about educating her young granddaughter about mental illness and added that no one is born with prejudice, it is a learned behavior taught by society.

OLD BUSINESS

1. Councillor Morley said several items were tabled at the last meeting and asked when Council will address those issues. City Manager John Pinkerton said those items will be included on the May 26th Council Meeting agenda.

CITY COUNCIL MEETING

May 11, 2015

Page 197

2. Councillor Stevenson asked for a water quality update. Director of Public Works Scott Thornhill explained the water vault repair work was completed about a week ago, and residents will see a steady improvement in the water quality over the next few weeks. Mr. Thornhill said the contractor finished the project a week early.

3. Councillor Skamperle asked why new demographics and marketing reports are required for the Diamond National property. City Manager John Pinkerton explained the developers we invited for a subsequent evaluation are requesting more extensive reports concentrating on the property.

NEW BUSINESS

1. Mayor Nelson congratulated Councillor Hosmer on the birth of his twin sons, Jonathan Dale and Jason Richard, and City Manager John Pinkerton on the birth of his grandsons.

2. Councillor Ashley asked if 308 Lake Street is a buildable lot that the City plans to sell. City Manager John Pinkerton said he will obtain details on the property for Councillor Ashley.

ITEMS FOR DISCUSSION

1. Councillor Mitchell said the Odyssey of the Mind Team leaves on May 20th at 7am for Michigan. Councillor Mitchell wished them luck and explained this is the first team in nineteen years to make it to the World's Competition. City Manager John Pinkerton said a police and fire escort out of the City is being organized for the morning of May 20th.

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