

SPECIAL CITY COUNCIL MEETING

May 28, 2015

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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

City Manager John Pinkerton stated this special meeting was specifically called to authorize the signing of a Home Rule Request for parcel B at the SLPC and the PDD ordinance, due to the possible time limit for Council action.

Councillors Morley stated Council did not approve a Step by Step presentation for tonight's Special Meeting agenda at the last meeting. Councillor Ashley stated there were two action items approved for the agenda, Home Rule Request for parcel B at the SLPC and the PDD ordinance.

Mayor Nelson moved to adjourn to Executive Session to discuss with their attorney the letter received by the Step by Step attorney, and Councillor Mitchell seconded the motion.

Councillors Morley and Hosmer questioned the need for Executive Session. Councillor Morley stated that he read the Step by Step attorney's letter and there was nothing in it against City Council. Councillor Hosmer said he was ok with going into Executive Session to discuss the letter with our attorney, but not to discuss the PDD ordinance. Councillor Stevenson stated she will abstain from voting or discussing the PDD ordinance because Step by Step is her former client. Councillor Stevenson questioned if this Executive Session is regarding the Council voting on the PDD. Mayor Nelson stated we received a letter from Step by Step attorney yesterday and need to seek counsel.

The vote to adjourn to Executive Session was:

CARRIED, AYES ALL

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Upon returning from Executive Session, all members of Council were still present.

Councillor Skamperle stated that Council did not agree to add the Step by Step presentation to the Special Meeting agenda. Councillor Skamperle moved to remove it from the agenda and Councillor Morley seconded the motion.

Councillor Hosmer stated if the Step by Step presentation is allowed, we should also allow anyone else who would like to address the PDD to do so in the public hearing format.

The vote to remove the Step by Step presentation from the agenda was:

AYES: Councillors Ashley, Mitchell, Morley and Skamperle

NAYS: Mayor Nelson and Councillor Hosmer

APPROVED, 4-2

ITEMS FOR COUNCIL ACTION

1. Councillor Morley moved an ordinance to amend Chapter 221 entitled 'Zoning', and Councillor Stevenson seconded to wit:

Ordinance # -2015

ORDINANCE AMENDING CHAPTER 221 ENTITLED "ZONING"
OF THE CITY OF OGDENSBURG MUNICIPAL CODE

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

ITEM ONE:

That the Official Zoning Map referenced in Section 221-8 be amended as follows:

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That Section No. 48.072, Block No. 9, Lot No. 19, consisting of approximately 2.08 acres, Beginning at a point in the westerly line of Rosseel Street one hundred and forty feet southerly from the south westerly corner of Rosseel Street and Knox Street; and running thence westerly parallel with Knox Street one hundred and twenty one and 58/100 feet to a point; thence at right angles southerly and parallel with Rosseel Street forty feet to a point; thence at right angles easterly and parallel with Knox Street one hundred twenty one and 58/100 feet to the westerly line of Rosseel Street; thence at right angles northerly along the westerly line of Rosseel Street forty feet to the place of beginning (bounded by Rosseel Street, Knox Street, Jay Street, and Judson Street) in the City of Ogdensburg, is hereby rezoned from Single-Family Residential (SFR) to a Planned Development District (PDD).

ITEM TWO:

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

The vote was:

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| AYES: | Mayor Nelson |
| NAYS: | Councillors Ashley, Hosmer, Mitchell, Morley and Skamperle |
| ABSTAIN: | Councillor Stevenson |

DEFEATED, 5 TO 1

2. Councillor Morley moved a resolution to authorize the City Manager to sign a Home Rule Request for the enactment of Senate bill #4481-B and Assembly bill #6519-A entitled "An act authorizing the Commissioner of General Service to convey real property at the St. Lawrence Psychiatric Center to the City of Ogdensburg", and Councillor Stevenson seconded to wit:

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RESOLUTION TO AUTHORIZE THE CITY MANAGER
TO SIGN A HOME RULE REQUEST

WHEREAS, pursuant to Article IX of the State Constitution, the City of Ogdensburg requests the enactment of Senate bill #4481-B and Assembly bill #6519-A entitled “An act authorizing the Commissioner of General Services to convey real property at the St. Lawrence Psychiatric Center to the City of Ogdensburg”, and

WHEREAS, this transfer of state property to the City of Ogdensburg will be for fair market value and follow any of the terms and conditions the Commissioner of General Services assigns; and

WHEREAS, the lands authorized by this act consist of one St. Lawrence Psychiatric Center parcel, in the City of Ogdensburg; and

WHEREAS, the authorized property is Parcel B, which consists of 50 acres bounded by the St. Lawrence River to the northwest, on the south by River Drive, northeast of Bridgeview to include all of the surplus land abutting the St. Lawrence River between Bridgeview and Trinity buildings, but not to include building numbers 10,13,17,31,62,63,64,65,66,67,88, 89, or 217.

NOW, THEREFORE, BE IT RESOLVED that the City Manager, John M. Pinkerton, is hereby authorized and directed to sign a HOME RULE REQUEST for enactment of a Special Law to convey real property, Parcel B., at the St. Lawrence Psychiatric Center to the City of Ogdensburg.

City Manager John M. Pinkerton stated this resolution will give the City of Ogdensburg exclusive authority to negotiate with the State Office of General Services to potentially acquire 50 acres of beach front land (Parcel B) at the St. Lawrence Psychiatric Center to market. Mr. Pinkerton said this parcel is the beachfront to pavilion area, located east of the bridge and west of Tibbitts Creek. Mr. Pinkerton said he believes this parcel is the only uncontaminated waterfront property within the city limits.

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Councillor Morley suggested that a negotiating committee be formed to represent the City when dealing with the State. Councillor Morley said the committee should be formed with people who know the St. Lawrence Psychiatric Center land because there is a lot of contamination on grounds and he doesn't want the City responsible for the cleanup. Councillor Morley stated he wants the State to take care of any contamination before we get the land. Mr. Pinkerton said he has talked to the State and they don't have a phase 1 assessment done, but we have told them we need one done.

The vote was:

CARRIED, AYES ALL

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