

CITY COUNCIL MEETING

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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

Mayor Nelson said our community suffered a tragic loss yesterday morning when Police Lieutenant Andrew Kennedy's brother lost his life unexpectedly. Mayor Nelson said their brother, John, and grandfather, George Bracy, both retired from the Ogdensburg Police Department. Mayor Nelson held a moment of silence in honor of Jamie A. Kennedy.

PRESENTATION

1. The Fort la Presentation Committee made a presentation to Council regarding the proposed development project and paper streets agreement. Barb O'Keefe described the trail to be constructed around the Fort property and the proposed easement for the Roethel family. Councillor Skamperle asked who will construct and maintain the roadway for the Roethel easement and if the Roethel family has agreed. Ms. O'Keefe said those issues will be addressed later in their presentation.

Mr. Haans said the purpose of the development is to jumpstart the project for community enjoyment. Mr. Haans explained it will cost approximately \$20 million to rebuild the Fort, and it has been recommended they start with smaller projects. Mr. Haans said the Fort Committee wants to make Ogdensburg a destination because it has a lot of potential. Mr. Haans explained the free waterfront trail would be open to the public and only closed or limited during specific Fort events. Mr. Haans said the funds are available to begin construction tomorrow, but the Fort needs to show clear title to the property first. Ms. O'Keefe provided Council with an overview of the Fort's financial situation.

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Meave M. Tooher of Tooher & Barone, LLP said she has been corresponding with City Attorney Andy Silver, and the Fort wants to work with the City and the Roethel family. Attorney Tooher explained the roadway for the Roethel easement would be constructed and maintained by the Fort. Attorney Tooher said she and Fort representatives have repeatedly tried to contact the Roethel family but have received no response. Attorney Tooher explained the Fort is not asking the City to give up anything it owns, just to clarify that the paper streets exist only on paper and now belong to the Fort. After much discussion, Attorney Tooher said the Fort would file an Action to Quiet Title if the City does not enter into the paper streets agreement.

Councillor Skamperle asked if we need to hold a Public Hearing regarding the disposition of the paper streets. Attorney Silver recommended Council confer with its attorney privately. Mayor Nelson made a motion to adjourn to Executive Session, and Councillor Stevenson seconded the motion.

The vote was:

CARRIED, AYES ALL

Upon returning from Executive Session, all members of Council were still present. Attorney Silver recommended Council hold a public hearing if the intention is to move forward with the agreement. Attorney Silver explained he will prepare a letter on behalf of the City for the benefit of the Fort's State funding, confirming a decision will be made at the next Council meeting.

PUBLIC HEARING

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

The following people spoke in opposition:

- a) Bridget Bice, 512 Seymour Street
- b) Sue Ellen Piercey, 1407 Knox Street

No one else being present to speak, the hearing was declared closed.

2. A public hearing regarding the sale of City-owned property located at 721 Congress Street was held. No one being present to speak, the hearing was declared closed.

PERSONAL APPEARANCE

1. Sally Hartman, Front Street, Rensselaer Falls addressed Council in support of Fort la Presentation's development project and the paper streets agreement.

CORRESPONDENCE

1. City Clerk Kathleen Bouchard read a letter from Richard Pirie, Director of Buildings and Grounds for United Helpers Mosaic, requesting a designated handicapped parking area at 221 Hamilton Street.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #12-2015 in the amount of \$601,506.77 and Library Fund Warrant #12-2015 in the amount of \$25,469.66 and Capital Fund Warrant #12-2015 in the amount of \$293,854.05 and Community Development Fund Warrant #12-2015 in the amount of \$0.00 and Community Renewal Fund Warrant #12-2015 in the amount of \$21,630.01 as audited, be and the same are ordered paid and Councillor Morley seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Ashley moved an ordinance to sell City-owned property located at 721 Congress Street, and Councillor Skamperle seconded to wit:

ORDINANCE #14 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>
#59.023-1-5	721 Congress Street	\$1,950. (includes estimated \$400. attorney, \$350. SLC recording fee & \$700. survey fee)	House needs to be demolished and removed within 12 months, an adjacent owner needs to combine & record. This is a non-conforming lot.

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SECTION TWO: The City does not guarantee clear property title in the transfer of properties 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 after public notice has been published at least once each week for three weeks in the official City newspaper.

The vote was:

CARRIED, AYES ALL

2. Mayor Nelson moved a resolution to approve the issuance of a Tax Anticipation Note (TAN) to cover cash flow needs for the City, and Councillor Skamperle seconded to wit:

TAX ANTICIPATION NOTE RESOLUTION DATED JUNE 22, 2015.
A RESOLUTION DELEGATING TO THE COMPTROLLER OF THE CITY OF OGDENSBURG, ST. LAWRENCE COUNTY, NEW YORK, THE POWER TO AUTHORIZE THE ISSUANCE OF AND TO SELL NOT EXCEEDING \$2,000,000 TAX ANTICIPATION NOTES OF SAID CITY IN ANTICIPATION OF THE COLLECTION OF TAXES LEVIED OR TO BE LEVIED FOR THE FISCAL YEAR OF SAID CITY WHICH COMMENCED JANUARY 1, 2015.

BE IT RESOLVED, by the Council of the City of Ogdensburg, St. Lawrence County, New York, as follows:

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Section 1. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell not exceeding \$2,000,000 tax anticipation notes of the City of Ogdensburg, St. Lawrence County, New York, including renewals thereof, in anticipation of the collection of taxes levied or to be levied for the fiscal year of said City which commenced January 1, 2015, is hereby delegated to the Comptroller. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Comptroller, consistent with the provisions of the Local Finance Law.

Section 2. This Resolution shall take effect immediately.

The vote was:

CARRIED, AYES ALL

3. Mayor Nelson moved a resolution calling for a public hearing on an ordinance to amend Administrative Regulations §17 entitled “Procedures of City Council Meeting”, of the Code of the City of Ogdensburg, and Councillor Stevenson seconded to wit:

RESOLUTION OF CITY COUNCIL CALLING FOR A PUBLIC HEARING
TO AMEND THE ADMINISTRATIVE REGULATIONS
§17. ENTITLED “PROCEDURES OF CITY COUNCIL MEETINGS”

BE IT RESOLVED, that Ordinance No. ___ of 2015, entitled "Ordinance amending Administrative Regulations §17. entitled “Procedures of City Council Meetings”, 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 at the Council Chambers in the City of Ogdensburg, New York, on Monday the 13th day of July 2015, 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 (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

4. Councillor Stevenson moved a resolution authorizing the City Manager to submit a 2015 Recreation Trails Program Grant application for the New York State Parks, Recreation and Historic Preservation Grant in the amount of \$200,000.00 under the 2015 Recreational Trails Program Grant, and Councillor Ashley seconded to wit:

A RESOLUTION TO AUTHORIZE THE SUBMISSION OF
A CONSOLIDATED FUNDING APPLICATION

WHEREAS, the City of Ogdensburg desires to prepare a 2015 New York State Consolidated Funding Application (CFA) to maintain and restore the Maple City Trail; and

WHEREAS, New York State Parks, Recreation and Historic Preservation is accepting applications for the 2015 NYS Recreational Trails Program that provides successful applicants up to 80% reimbursement of eligible expenditures for maintenance and restoration of existing recreational trails; and

WHEREAS, an estimated \$160,000 will be allocated to improvements to the Maple City Trail Seawall, and the remaining \$40,000 will be used to seal the ~2mile multi-jurisdictional trail; and

WHEREAS, the required \$40,000 match will be provided through in-kind services, and force labor.

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NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Manager is hereby authorized to submit a Consolidated Funding Application in the amount of \$200,000, and if received, to enter into any necessary contracts to administer this NYS Recreational Trails Program grant.

The vote was:

CARRIED, AYES ALL

5. Councillor Mitchell moved a resolution authorizing the City Manager to enter into an agreement with GAR Associates, Inc. and to make payment of an amount not to exceed \$2,250 for a portion of the cost of a housing market study. (The total cost of the study is \$9,000.; the Development Authority of the North Country (DANC) has committed \$4,500. toward the study, and the Ogdensburg Growth Fund has committed \$2,250.), and Councillor Ashley seconded to wit:

RESOLUTION

WHEREAS, the City of Ogdensburg wishes to conduct a housing market study in Ogdensburg, and

WHEREAS, the City has received a proposal to conduct such a study from the GAR Associates, Inc., and

WHEREAS, the study will provide a market analysis of the Ogdensburg/St. Lawrence County housing patterns, and

WHEREAS, the cost of the study is \$9,000., and

WHEREAS, the Development Authority of the North Country (DANC) has committed \$4,500. toward the study, and the Ogdensburg Growth Fund has committed \$2,250., and

WHEREAS, \$2,250. in funding is required from the City of Ogdensburg for this housing market study, and

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WHEREAS, the results of the study will help to attract developer interest; and

NOW THEREFORE BE IT RESOLVED, that the Ogdensburg City Council hereby authorizes the City Manager to enter into an agreement with GAR Associates, Inc. and to make payment of an amount not to exceed \$2,250 for a portion of the cost of a housing market study, and

BE IT FURTHER RESOLVED, that funding for this expense shall be transferred from A8020.515 (DPD Consultant line) \$1750 and A1230.515 (City Manager Consultant) \$500.

City Manager John Pinkerton said a general study was already completed, but we need more specific information with ideas for development. Mr. Pinkerton explained we can provide the demographics, and an interested developer can make further determinations with their own study.

The vote was:

AYES: Mayor Nelson, Councillors Ashley, Hosmer,
Mitchell, Skamperle and Stevenson

NAYS: Councillor Morley

CARRIED, 6 TO 1

OLD BUSINESS

1. Councillor Morley said the City needs to develop an amphitheater to draw crowds for concerts and large events.

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2. Councillor Ashley asked for an update on public works issues in the 1800 block of Ford Street. Director of Public Works Scott Thornhill explained it has been discovered that a sewer line was damaged when the street light was installed at the intersection of Ford and Barre Streets. Mr. Thornhill said OBPA and Barton & Loguidice are aware of the issue and are very close to a resolution. Councillor Morley asked who is responsible for the cost of the repairs. Mr. Thornhill said OBPA and Barton & Loguidice are responsible. Councillor Ashley asked if the Vactor truck is being used to maintain the resident's property until the repair can be completed. Mr. Thornhill said yes, every couple days. Councillor Morley asked if OBPA is being billed for the use of the Vactor truck and manpower. Mr. Thornhill said no. There was a consensus of Council to charge OBPA for the associated costs.

3. Councillor Skamperle asked for a copy of the floodplain map for the Fort property. After some discussion, Councillor Skamperle withdrew his request.

4. Councillor Mitchell asked for an update on the airport expansion project. Mr. Pinkerton said he will obtain the status from OBPA and advise Council.

5. Councillor Stevenson asked for the handicapped parking update. Mr. Pinkerton said City staff is preparing that information as requested.

NEW BUSINESS

1. Mayor Nelson called for a public hearing to be held on Monday, July 13, 2015 at 7:00 p.m. at Council Chambers, 330 Ford Street, Ogdensburg regarding a resolution authorizing the City Manager to sign an agreement between the City and Fort la Presentation Company, confirming the City retains no ownership interest in the paper streets on Lighthouse Point, and Councillor Stevenson seconded.

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The vote was:

CARRIED, AYES ALL

2. Mayor Nelson said it is with regret that Council accepts City Manager John Pinkerton's letter of retirement. Mayor Nelson complimented Mr. Pinkerton on his success as City Manager. Mr. Pinkerton thanked Council and said he has enjoyed his time as City Manager.

Mayor Nelson said a transition period will be needed because Mr. Pinkerton has several pending projects. Mayor Nelson suggested we obtain a quote from the Bonadio Group who assisted Council with the search for our current City Manager. Councillor Hosmer asked how much the City paid the Bonadio Group for the last search process. Mayor Nelson said the total cost was \$17,359.79 and detailed the expenses. Councillor Hosmer suggested City staff lead the search for a new City Manager. Mayor Nelson said City staff will certainly contribute to the process, but the search is very time consuming. Councillor Skamperle suggested a RFP, but Councillor Morley said the last quotes came back pricey. Councillor Stevenson suggested Council first look at the proposal from Bonadio Group since we need to fill the position as soon as possible. Councillor Hosmer agreed. Councillor Morley asked Mr. Pinkerton if he would be able to stay a week or two after December 31, 2015 if needed. Mr. Pinkerton said yes, but only a week or two. There was a consensus of Council that a special meeting be scheduled when the Bonadio Group proposal is received.

3. Mayor Nelson said the promotional video prepared by Senator Ritchie's office outlining the vacant St. Lawrence Psychiatric Center property was excellent.

4. Councillor Morley asked to be excused from the July 13, 2015 Council meeting because he will be out of state.

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ITEMS FOR DISCUSSION

1. City Manager John Pinkerton provided Council with an update on the Solar Energy Consortium. Mr. Pinkerton explained Jefferson/Lewis BOCES applied for a \$200,000 grant to bring together multiple users of electricity. Mr. Pinkerton said the City is on a list of eligible municipalities, but the lack of space seems to be a big problem. Mr. Pinkerton explained the area currently being developed in Ogdensburg has a maximum wattage of 2 megawatts, but our DPW crews have already cleared an additional 12 acres in that area. Mr. Pinkerton explained we hope to eventually process 3.1 megawatts through a transformer on that expanded parcel. Councillor Morley asked if the City has any investment in this proposal. Mr. Pinkerton said no.

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