

## CITY COUNCIL MEETING

January 9, 2017

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

PRESENT: Mayor Ashley, Councillors Davis, Mitchell,  
Morley, Price, Skamperle and Stevenson

ABSENT: None

### CONSENT AGENDA

Mayor Ashley moved that the claims as enumerated in General Fund Warrant #23-2016 in the amount of \$1,101,740.06 and Library Fund Warrant #23-2016 in the amount of \$39,480.58 and Capital Fund Warrant #23-2016 in the amount of \$109,546.54 and Community Development Fund Warrant #23-2016 in the amount of \$9,941.60 and Community Renewal Fund Warrant #23-2016 in the amount of \$29,319.25 as audited, be and the same are ordered paid and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

### APPOINTMENTS

1. Mayor Ashley moved to appoint Dave Ferry, 100 Caroline Street, to a three-year term on the Pride and Beautification Commission, term to end December 31, 2019, and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Price moved a resolution authorizing the City Manager to execute a Sidewalk Maintenance agreement with NYSDOT pertaining to the maintenance of sidewalks which will be constructed as part of the construction of the signal improvement project (Site #4 at the intersection of NYS Route 68 and Washington Street, and Site #5 at the intersection of NYS Route 68 and Ford Street), and Councillor Davis seconded to wit:

RESOLUTION BY THE CITY BOARD  
OF THE CITY OF OGDENSBURG  
FOR THE MAINTENANCE OF SIDEWALKS  
RESOLUTION NO. 1 of 2017

WHEREAS, the New York State Department of Transportation proposes to reconstruct curb ramps on NYS Route 68, City of Ogdensburg, PIN 7806.08 and

WHEREAS, the State will include as part of the construction, reconstruction, or improvements of the above mentioned project , the construction of sidewalks pursuant to Section 345-C, of the Highway Law and

WHEREAS, the State will provide for the construction of the above mentioned work, as shown on the contract plans relating to the project.

NOW, THEREFORE, BE IT RESOLVED: That the City of Ogdensburg approves the construction of sidewalks and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the City of Ogdensburg will maintain or cause to be maintained the relocated, reconstructed and/or constructed sidewalks performed as above stated and as shown on the contract plans, including the control of snow and ice.

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BE IT FURTHER RESOLVED: That the Clerk of this Board is hereby directed to transmit four (4) certified copies of the foregoing resolution to:

New York State Department of Transportation  
317 Washington Street  
Watertown, New York 13601  
Attn: Brian A. Baxter, P.E.

Director of Public Works Scott Thornhill explained NYSDOT will be completing several projects and selected two intersections in the City. Mr. Thornhill said the intersections will be upgraded with new traffic signals and ADA complaint sidewalks. Mr. Thornhill explained NYSDOT may decide to improve another intersection, and he has recommended the intersection of NYS Route 68 and Greene Street for consideration. Mayor Ashley asked if there is any cost to the City. Mr. Thornhill explained NYSDOT will incur all expenses related to the projects, but the City may decide to replace adjoining sidewalks to keep the area smooth. Councillor Morley asked if the City will be required to maintain anything during the construction process. Mr. Thornhill said the City will only be required to maintain the sidewalks after the projects are completed, just as we do now.

Councillor Skamperle said he does not agree with the no right turn on red regulation at the two intersections being considered. Councillor Skamperle explained when the change was initially presented to Council, he expected a pedestrian to push a button while waiting to cross to activate the no right turn on red requirement. Councillor Skamperle said he seldom sees pedestrians waiting to cross at these intersections.

Mr. Thornhill explained he could make a recommendation to the local engineer to evaluate those intersections and possibly make the suggested change while these projects are being completed.

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Councillor Stevenson explained she has also heard complaints that vehicles sit too long at this intersection. Mr. Thornhill said he will request the evaluation. Councillor Mitchell asked why Council cannot just change the requirements at those intersections. Mr. Thornhill explained he must first obtain permission from NYSDOT to make changes to any state highway.

The vote was:

CARRIED, AYES ALL

2. Councillor Mitchell moved a resolution to provide for public notice and public hearing with regard to an amendment to the Ogdensburg Municipal Code, Chapter 181 entitled "Solid Waste", and Councillor Stevenson seconded to wit:

RESOLUTION  
INTRODUCING ORDINANCE #\_\_ FOR 2017

BE IT RESOLVED that proposed Ordinance #\_\_ of the year 2017 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

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 Monday, January 23, 2017, 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.

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Councillor Skamperle said he still believes yard waste should be left in the street for easy pickup by DPW crews rather than causing damage to lawns. Councillor Price said he has concerns about Paterson Street residents being able to pile their yard waste in the narrower area since the widening of that street. Mr. Thornhill said common sense will prevail.

The vote was:

CARRIED, AYES ALL

3. Mayor Ashley moved a resolution to call for a public notice and public hearing regarding the proposed dissolution of Paper Montgomery Street from Paper Prospect east to Paper Barre Street, and Councillor Mitchell seconded to wit:

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

WHEREAS, New York State General City Law – Section 29: Official Map, Changes states that “Before making such addition or change the matter shall be referred to the planning board for report thereon”, and

WHEREAS, the Planning Board reviewed this request on Tuesday, January 03, 2017 having submitted a report recommending approval of the proposed dissolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council shall hold a public hearing seeking public comment on the proposed dissolution of Paper Montgomery Street from Paper Prospect Street east to Paper Barre Street, to be held in the City Council Chambers at City Hall, Ogdensburg, New York, on the 23<sup>rd</sup> day of January, 2017 at 7:00 p.m.; and

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BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearings by publication in the newspaper so designated by the City Council of the City of Ogdensburg for legal and public notices at least seven (7) days before the hearing dates setting forth the time and place.

Councillor Price asked if City staff will be evaluating all paper streets. City Manager Sarah Purdy said Council will be receiving a report on other paper streets by March. Ms. Purdy explained this particular paper street is being brought to Council now because someone has expressed an interest in purchasing the parcel. Councillor Mitchell asked if citizens interested in purchasing a paper street should contact the City Manager's office, and Ms. Purdy said yes. Councillor Price said his only concern would be if the City needed access to infrastructure on the parcel in the future. Ms. Purdy explained parcels with those types of concerns will not be offered for sale because we need to protect the City's future infrastructure interests.

The vote was:

CARRIED, AYES ALL

4. Councillor Skamperle moved a resolution introducing an ordinance and providing for public notice and public hearing with regard to the sale of City-owned property (unpaved portion of Paterson Street Boat Launch spill over parking lot), and Councillor Morley seconded to wit:

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

BE IT RESOLVED, that Ordinance No. \_\_ of 2017 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

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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 23<sup>rd</sup> day of January, 2017, 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.

Councillor Price asked if the minimum bid is \$1,750.00, and City Manager Sarah Purdy said yes. Councillor Davis asked if there is any other potential use for this parcel by the City, explaining when there is an event in that area the parking lot is filled to capacity. Director of Public Works Scott Thornhill said the entire parcel is an “L” shaped lot, but the tail of the “L” was not paved. Mr. Thornhill explained this particular parcel is simply a grassy area that must be maintained by City staff regularly. Mr. Thornhill said an adjacent property owner has expressed an interest in the parcel. Councillor Morley said he believes that parcel is useful. Councillor Price said he would like to see that area developed in the future and agreed the property should not be sold. Councillor Stevenson said she is in favor of selling the small section and if space was required for an event in the future, the street could always be closed.

The vote was:

CARRIED, AYES ALL

5. Councillor Stevenson moved a resolution authorizing the City Manager to submit a 2017-2018 occupational safety and health training and education NYS Hazard Abatement Board (HAB) grant, and Councillor Mitchell seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT  
A NYS HAB GRANT APPLICATION

WHEREAS, the New York State Hazard Abatement Board (HAB) is requesting proposals for Occupational Safety and Health Training and Education Grants; and

WHEREAS, funds are available through this grant to provide workplace health and safety training for City Staff; and

WHEREAS, Department Heads have identified needed training for personnel (see attached list) that is eligible for funding through this grant application.

NOW, THEREFORE BE IT RESOLVED, that the Ogdensburg City Council hereby authorizes the filing of a 2017-18 HAB application for Workplace Health and Safety Training to be provided by OSEA, Inc. as a subcontractor and administered with assistance from the Development Authority; and

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to submit this application for funding, and if awarded, to administer the program, including executing all necessary documents relating to the application or administration of the program.

Councillor Morley asked if providing this training to City employees will require a pay increase. City Manager Sarah Purdy said no, the training is simply basic safety and hazard awareness that the City should already be providing to employees. Ms. Purdy said this grant would be a way for the City to accomplish the training at no cost.

The vote was:

CARRIED, AYES ALL

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### OLD BUSINESS

1. Councillor Mitchell asked for an update on the Zombie Grant. Director of Planning and Development Andrea Smith said all of our information has been submitted, and minor adjustments were made as required. Ms. Smith explained the program has not started because we don't have a contract. Ms. Smith said she is hopeful she will receive more information by the end of this month so the program can begin.

### NEW BUSINESS

1. City Manager Sarah Purdy explained Council should expect more information in the coming weeks regarding the Wastewater Treatment Plant repairs, improvements and breakdowns in addition to what has already been provided to Council in the weekly updates. Ms. Purdy said things are not running smoothly at the plant, and a preliminary report from GHD is expected on January 19, 2017. Ms. Purdy explained Council will receive the finalized report as soon as it becomes available, and GHD plans to make a presentation at the January 23, 2017 Council Meeting. Ms. Purdy explained a new bonding resolution may become necessary, and Council could vote on it at the January 23, 2017 meeting or schedule a special Council Meeting.

Councillor Morley said it would be premature to plan on Council voting on a new bonding resolution January 23, 2017. Councillor Morley moved to call for a Special Council Meeting on Monday, January 30, 2017 at 7:00 pm. to act on WWTP bonding issues, and Councillor Stevenson seconded the motion.

The vote was:

CARRIED, AYES ALL

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2. Mayor Ashley advised Council that the Charter must be reviewed every ten years and a Charter Review Commission will need to be appointed by this Council in 2017 to review it. Mayor Ashley explained two individuals from each of the six City election districts will need to be appointed. Mayor Ashley asked Council to bring their recommendations to the first meeting in February.

### ITEMS FOR DISCUSSION

1. Councillor Price said he had some questions and concerns regarding the assessment process. Councillor Price explained he fears the City will repeat last year's events, except this year the other side of the street will be reassessed. City Manager Sarah Purdy said City Assessor Bruce Green will hold meetings with the public to provide assessment process information before beginning. Mr. Green said there are five residential neighborhoods in the City. Mr. Green explained only one neighborhood showed a significant difference in assessed values versus sale prices, permitting a revaluation. Mr. Green said this year he will reassess the riverfront side of Proctor Avenue and Lisbon Street. Mr. Green said there is typically not a big turnover of the riverfront properties, so it takes quite some time before he is permitted to reassess that particular area.

Councillor Stevenson asked how Mr. Green would determine when it was necessary to revalue a particular neighborhood if there were no property sales. Mr. Green said without any sales it would be difficult to justify a revaluation. Councillor Stevenson said some neighborhoods do not have enough sales activity to drive a revaluation and asked what other means are used to keep property values balanced. Mr. Green said three of the five residential neighborhoods will have been completed after this year's reassessment is finished. Councillor Stevenson said the problem is someone who purchases a home has their assessment raised immediately and may pay significantly more in taxes over the four to five years it takes for the rest of the neighborhood to be revaluated. Councillor Stevenson asked Mr. Green to provide Council with information on how revaluation can be justified without property sales. Mr. Green said he will research the issue.

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Councillor Price asked how many properties we assess in the City. Mr. Green said approximately 4,100 parcels. Councillor Price said he would also like to know the number of taxpayers in the City and asked how long it has taken to complete the reassessment of three of the five residential neighborhoods. Mr. Green said it has taken four years. Councillor Price asked if Mr. Green monitors building permit information from the Code Enforcement Office and property sales to determine when properties should be reassessed, and Mr. Green said yes. Councillor Price asked if the taxes are higher on a rental property versus a single family residence. Mr. Green said the City has been at 100% equalization for the past 18 years so everyone is taxed at the same rate, but typically a rental property has lower taxes. Councillor Price asked if the City Assessor is typically only reassessing one area per year, and Mr. Green said yes. Councillor Stevenson said when someone purchases a property assessed at \$75,000 for \$125,000 in a neighborhood of parcels also assessed at \$75,000, the new owner pays taxes on the higher assessed value long before the rest of the neighborhood catches up when reassessed. Councillor Stevenson said revaluations must be completed more frequently to avoid large increases. Mr. Green said some taxpayers complain reassessments are not completed frequently enough resulting in larger increases while others complain reassessment is done too often resulting in frequently increasing tax bills. Councillor Morley suggested the entire City be reassessed and all increases made effective at the same time and then repeat the process. Mr. Green said a firm would need to be hired to reassess the entire City at one time. Councillor Stevenson said new property owners are forced to pay the higher taxes from the date of purchase, and citizens don't feel it is a fair process. Councillor Price said there are simply not enough people paying taxes in the City and suggested the City evaluate the 100% equalization rate. Mr. Green said the City could go over the 100% equalization rate, but it should be carefully monitored. Mr. Green explained the State will also tell you if the rate is too low which could result in the loss of our equalization rate and a change in exemptions.

Councillor Stevenson asked how many properties Mr. Green will reassess in the target area this year, and Mr. Green said about forty parcels. Councillor Stevenson asked if Mr. Green can begin the revaluation of the next neighborhood if he completes this year's planned reassessment early. Mr. Green said he must wait for information from the State to begin each year.

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Councillor Morley reminded Council that the larger companies who paid City taxes in the past are now gone. Mr. Green added the remaining larger companies are also frequently filing Article 7 cases. Councillor Price suggested Mr. Green prepare a report showing the assessed values of all parcels in the City including those who are tax exempt. Mr. Green said 59% of the properties in the City are tax exempt.

City Manager Sarah Purdy stated there is an exemption program available to property owners who have made improvements to their property owner so they will not be impacted by the full assessed value immediately. Ms. Purdy added the exemption form is available in the Code Enforcement Office and the Assessor's Office. Ms. Purdy recommended property owners obtain building permits as required, noting the Code Enforcement Office and the Assessor's Office will eventually discover improvements.

Mayor Ashley said there was a need for Executive Session to confer with the City Attorney regarding pending litigation, and Councillor Morley seconded the motion.

The vote to adjourn to Executive Session was:

CARRIED, AYES ALL

Mayor Ashley said there will be no action following Executive Session, so Council will adjourn from Executive Session.

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