

CITY COUNCIL MEETING

January 8, 2018

Page 1

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

PRESENT: Mayor Ashley, Councillors Davis, Kennedy,
Price, Shaver, Skamperle and Stevenson

ABSENT: None

PRESENTATION

1. Jamie Rogers from Adirondack North Country Association (ANCA) made a presentation to Council regarding Clean Energy Communities. (A copy of his presentation follows these minutes.)

CONSENT AGENDA

Mayor Ashley moved that the claims as enumerated in General Fund Warrant #01-2018 in the amount of \$1,710,002.29 and Library Fund Warrant #01-2018 in the amount of \$48,465.48 and Capital Fund Warrant #01-2018 in the amount of \$182,169.08 and Community Development Fund Warrant #01-2018 in the amount of \$0.00 and Community Renewal Fund Warrant #01-2018 in the amount of \$1,057.50 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 Councillors Stevenson, Kennedy and Shaver to the Audit Committee, and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

2. Mayor Ashley moved to appoint Councillors Stevenson, Skamperle and Davis to the Executive Compensation Board, and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Mayor Ashley moved a resolution appointing a Deputy Mayor for the City of Ogdensburg for 2018-2019, and Councillor Price seconded to wit:

RESOLUTION APPOINTING
A DEPUTY MAYOR FOR 2018 AND 2019

WHEREAS, the Ogdensburg City Charter provides that a Deputy Mayor is to be elected from the City Council members at the first regular Council meeting in January of even-numbered years,

NOW, THEREFORE, BE IT RESOLVED, that Councilor Skamperle is hereby elected Deputy Mayor of the Ogdensburg City Council for 2018 and 2019.

The vote was:

AYES: Mayor Ashley, Councillors Kennedy, Price,
Shaver and Stevenson

NAYS: Councillor Davis

ABSTAIN: Councillor Skamperle

CARRIED, 5 TO 1

2. Councillor Stevenson 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 Kennedy seconded to wit:

RESOLUTION
INTRODUCING ORDINANCE #1 FOR 2018

BE IT RESOLVED that proposed Ordinance #1 of the year 2018 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 22, 2018, 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

3. Councillor Skamperle moved a resolution to adopt an Energy Benchmarking Policy to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the City of Ogdensburg, and Councillor Price seconded to wit:

CITY OF OGDENSBURG
ST. LAWRENCE COUNTY, NEW YORK

RESOLUTION TO ADOPT ENERGY BENCHMARKING POLICY REQUIREMENTS
FOR CERTAIN MUNICIPAL BUILDINGS IN THE CITY OF OGDENSBURG

WHEREAS, buildings are the single largest user of energy in the State of New York, and the poorest performing buildings typically use several times the energy of the highest performing buildings, for the exact same building use; and

WHEREAS, this local policy will use Building Energy Benchmarking to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the City of Ogdensburg; and

WHEREAS, collecting, reporting, and sharing Building Energy Benchmarking data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide; and

WHEREAS, equipped with this information, the City of Ogdensburg will be able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement.

WHEREAS, the following definitions will apply:

(A) “Benchmarking Information” shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

(B) “Building Energy Benchmarking” shall mean the process of measuring a building’s Energy use, tracking that use over time, and comparing performance to similar buildings.

(C) “Commissioner” shall mean Mayor.

(4) “Covered Municipal Building” shall mean a building or facility that is owned or occupied by the City of Ogdensburg that is 1,000 square feet or larger in size.

(5) “Department” shall mean the Department of Planning [Department assigned the responsibility of administering the Energy benchmarking program].

(6) “Energy” shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

CITY COUNCIL MEETING

January 8, 2018

Page 6

(7) “Energy Performance Score” shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(8) “Energy Use Intensity (EUI)” shall mean the BTUs (1,000 British Thermal Units) used per square foot of gross floor area.

(9) “Gross Floor Area” shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(11) “Portfolio Manager” shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(12) “Utility” shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(13) “Weather Normalized Site EUI” shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations; and

WHEREAS, this local policy is applicable to all Covered Municipal Buildings as defined in item 4 above; and

WHEREAS, the City Council or authorized individual may exempt a particular Covered Municipal Building from the benchmarking requirement if he determines that it has characteristics that make benchmarking impractical; and

CITY COUNCIL MEETING

January 8, 2018

Page 7

WHEREAS, no later than December 31, 2017, and no later than May 1 every year thereafter, the Supervisor or authorized individual or his/her designee shall enter into Portfolio Manager the total energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year; and

WHEREAS, for new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Mayor or authorized individual or his designee shall begin inputting data in the following year; and

WHEREAS, the Department shall make available to the public online Benchmarking Information for the previous calendar year:

- (a) no later than December 31, 2017 and by September 1 of each year thereafter for Covered Municipal Buildings; and

WHEREAS, the Department shall make available to the public online and update at least annually, the following Benchmarking Information:

- (a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and
- (b) For each Covered Municipal Building individually:
 - (i) The status of compliance with the requirements of this Local Policy; and
 - (ii) The building address, primary use type, and gross floor area; and
 - (iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and

CITY COUNCIL MEETING

January 8, 2018

Page 8

(iv) A comparison of the annual summary statistics (as required by this Local Policy) across calendar years for all years since annual reporting under this Local Policy has been required for said building; and

WHEREAS, the Department shall maintain records as necessary for carrying out the purposes of this Local Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years; and

WHEREAS, the City Council or authorized individual or his/her designee shall be the Administrator of this Local Policy; and

WHEREAS, the Administrator of this Local Policy may promulgate procedures necessary for the administration of the requirements of this Local Policy; and

THEREFORE BE IT RESOLVED THAT within thirty days after each anniversary date of the effective date of this Local Policy, the Administrator of the Benchmarking Policy shall submit a report to the Ogdensburg City Council, including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the City Council or authorized individual determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Local Policy; and

BE IT FURTHER RESOLVED THAT this Local Policy shall be effective immediately upon adoption by the City Council and a copy of this resolution shall be provided to the City Manager or authorized body assigned the responsibility of administering the Energy benchmarking program.

The vote was:

CARRIED, AYES ALL

4. Councillor Kennedy moved a resolution to approve the sale of City-owned property described as 1,283.2 square feet of land and being a 15' wide lane off State Street, known as 48.079-1-61, for \$5,000.00 to The Berg 302, LLC, and Councillor Stevenson seconded to wit:

RESOLUTION TO APPROVE THE SALE
OF TAX PARCEL 48.079-1-61
TO THE BERG 302, LLC

WHEREAS, the Ogdensburg City Council, on November 27, 2017, authorized the public auction of surplus City-owned real property, and

WHEREAS, the City held an auction on December 13, 2017 to sell said property, and

WHEREAS, the City received bids that met the minimum bids set by City Council,

NOW THEREFORE BE IT RESOLVED, that the City Council approves the following sale of:

<u>TAX MAP #</u>	<u>LOCATION</u>	<u>MINIMUM PURCHASE PRICE</u>	<u>RESTRICTION(S)</u>
48.079-1-61	1,283.2 square feet of land, being a 15' wide lane off State Street	\$5,000. (includes survey \$250., Attorney \$400. & SLC recording fee \$350.)	None

BE IT FURTHER RESOLVED, that the sale shall be subject to the terms of the November 27, 2017 ordinance.

CITY COUNCIL MEETING

January 8, 2018

Page 10

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Mayor Ashley congratulated the Department of Public Works on the condition of the City streets and asked for a more aggressive approach to those blocking intersections with snow. Councillors Stevenson and Kennedy agreed.

NEW BUSINESS

1. Councillor Stevenson said reports or minutes from all boards and committees would be helpful for Council. Mayor Ashley and Councillors Davis and Kennedy agreed.

2. Mayor Ashley asked if we have a confirmed date when the meetings with the Financial Restructuring Board will begin, and City Manager Sarah Purdy said not yet.

3. Councillor Skamperle suggested amendments to Ogdensburg Municipal Code Chapter 221 entitled "Zoning", Article XIV entitled "Regulations Applicable to All Districts", Section 221-47 entitled "Accessory Uses and Structures", specifically 221-47(E)3 regarding setback requirements. Councillor Skamperle explained most residents have smaller yards. Councillor Stevenson suggested Council receive an opinion from the Planning Department. City Manager Sarah Purdy explained City staff will make a presentation to Council at the next Council meeting. Ms. Purdy said Council could discuss amendments after obtaining input from all departments and the Zoning and Planning Boards.

ITEMS FOR DISCUSSION

1. City Manager Sarah Purdy presented her Draft 2018 Goals to Council. (A copy of her presentation follows these minutes.)

Mayor Ashley said there was a need for Executive Session to discuss a property acquisition and personnel, and Councillor Skamperle seconded the motion. City Manager Sarah Purdy said a matter which will imperil public safety if disclosed should also be added to the Executive Session and requested Lieutenant Robert Wescott join Council in Executive Session.

The vote to adjourn to Executive Session was:

CARRIED, AYES ALL

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