

## CITY COUNCIL MEETING

June 24, 2019

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

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

ABSENT: None

### PERSONAL APPEARANCE

1. Greg Lancette of the Buildings and Trades Union addressed Council regarding the use of a Project Labor Agreement for the Wastewater System Improvements Capital Project. Mr. Lancette thanked Council for all of the work and time invested for the use of a PLA.

2. Fred Carter, 906 Clark Street, addressed Council regarding the condition of a section of East David Street near the school and asked that it be evaluated for repairs.. Mr. Carter thanked Council for their efforts for the use of a PLA and also recognized Ernie LaBaff who keeps fighting for the unions.

### CONSENT AGENDA

Mayor Ashley moved that the claims as enumerated in General Fund Warrant #11-2019 in the amount of \$490,760.50 and Library Fund Warrant #11-2019 in the amount of \$25,191.18 and Capital Fund Warrant #11-2019 in the amount of \$325.00 and Community Development Fund Warrant #11-2019 in the amount of \$0.00 and Community Renewal Fund Warrant #11-2019 in the amount of \$11,415.20 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 Stevenson moved a resolution calling for a public hearing and public notice to amend the Municipal Code of the City of Ogdensburg, Chapter 27 entitled “Ethics, Code of”, and Councillor Skamperle seconded to wit:

RESOLUTION OF CITY COUNCIL  
CALLING FOR PUBLIC HEARING

BE IT RESOLVED, that a public hearing be held by the Ogdensburg City Council on the proposed amendment of Ogdensburg Municipal Code Chapter 27 entitled “Ethics, Code of”, said public hearing to be held on July 8, 2019, at 7:00 pm in the City Council Chambers, City Hall, and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication, in the official newspaper, at least five days before the hearing date, of a notice setting forth the time and place describing the proposed Ordinance in summary form.

Mayor Ashley asked for details on the proposed amendment to this section of the Municipal Code. City Manager Sarah Purdy explained the current ethics policy is out of date, and the State Comptroller has recommended an update. Ms. Purdy said it is also necessary for some grant applications, and the proposed amendment also addresses some new issues.

The vote was:

CARRIED, AYES ALL

2. Mayor Ashley moved a resolution calling for a public hearing and public notice to amend the Municipal Code of the City of Ogdensburg, Chapter 189 entitled “Streets and Sidewalks”, Section 189-9 entitled “Sidewalk Maintenance”, and Councillor Skamperle seconded to wit:

RESOLUTION OF CITY COUNCIL  
CALLING FOR PUBLIC HEARING

BE IT RESOLVED, that a public hearing be held by the Ogdensburg City Council on the proposed amendment of Ogdensburg Municipal Code Chapter 189 entitled “Streets and Sidewalks”, Section 189-9 entitled “Sidewalk Maintenance”, said public hearing to be held on July 8, 2019, at 7:00 pm in the City Council Chambers, City Hall, and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication, in the official newspaper, at least five days before the hearing date, of a notice setting forth the time and place describing the proposed Ordinance in summary form.

The vote was:

CARRIED, AYES ALL

3. Councillor Davis moved a resolution to accept a St. Lawrence County map into City ownership and to thank Dan Dishaw for his gift to the City of Ogdensburg, and Councillor Skamperle seconded to wit:

RESOLUTION ACCEPTING PROPERTY FOR PUBLIC PURPOSES

WHEREAS, the City of Ogdensburg has received a request to accept a St. Lawrence County map as a gift to the City from Dan Dishaw, and

WHEREAS, said St. Lawrence County map will be displayed in the foyer to Ogdensburg City Council Chambers,

NOW THEREFORE, BE IT RESOLVED, that the City Council accepts this St. Lawrence County map into City ownership and thanks Dan Dishaw for this gift to the City of Ogdensburg.

The vote was:

CARRIED, AYES ALL

4. Councillor Skamperle moved a resolution calling for a public hearing and public notice regarding the disapproval of a registration statement for sound amplifying equipment for Everything 4 Entertainment, LLC, and Councillor Powers seconded to wit:

RESOLUTION OF CITY COUNCIL  
CALLING FOR A PUBLIC HEARING

BE IT RESOLVED, that a public hearing be held by the Ogdensburg City Council on the disapproval of a registration statement for sound amplifying equipment for Everything 4 Entertainment, LLC, said public hearing to be held on July 8, 2019, at 7:00 pm in the City Council Chambers, City Hall, and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication in the official newspaper at least five days before the hearing date of a notice setting forth the time and place and describing the proposed resolution in summary form.

Councillor Skamperle said he will not be present at the July 8, 2019 meeting but urged Council to support the approval of this request.

The vote was:

CARRIED, AYES ALL

5. Councillor Powers moved a resolution authorizing the submission of an I&I application seeking \$100,000 to undertake an inflow and infiltration engineering planning grant project, and Councillor Stevenson seconded to wit:

A RESOLUTION TO AUTHORIZE THE SUBMISSION OF A  
2019 CONSOLIDATED FUNDING APPLICATION

WHEREAS, Grants of up to \$100,000 are available to finance engineering and planning services for the production of an engineering report through New York State Department of Environmental Conservation (DEC), in conjunction with the New York State Environmental Facilities Corporation (EFC); and

WHEREAS, the City of Ogdensburg will prepare and submit an application under *Category 3*: for inflow and infiltration (I&I) projects as a result of an Order on Consent or SPDES Permit Compliance Schedule; and

WHEREAS, in accordance with application requirements, all grants require a local match equal to 20 percent of the requested grant amount; and

WHEREAS, the required \$20,000 match will be paid for out of account G8120.515.

NOW, THEREFORE, BE IT RESOLVED, the City Council supports the submission of an I&I application seeking \$100,000 to undertake an inflow and infiltration engineering planning grant project.

BE IT FURTHER RESOLVED, that the Ogdensburg City Manager or her designee is hereby authorized to submit a DEC/EFC funding application, and if received, to enter into any necessary contracts to accept and administer said grant.

The vote was:

CARRIED, AYES ALL

6. Councillor Kennedy moved a resolution authorizing the submission of a 2019 Department of State Brownfield Opportunity Area (BOA) Program Pre-Development Grant, and Councillor Skamperle seconded to wit:

A RESOLUTION TO AUTHORIZE THE SUBMISSION OF A  
2019 CONSOLIDATED FUNDING APPLICATION FOR BROWNFIELD  
OPPORTUNITY AREA IMPLEMENTATION

WHEREAS, Grants of up to \$300,000 are available to undertake pre-development activities within a state-designated BOA through New York State Department of State (DOS); and

WHEREAS, the City of Ogdensburg's Downtown Waterfront Core BOA received designation from the Secretary of State on August 22, 2016; and

WHEREAS, Ogdensburg seeks pre-development funding to develop and implement marketing strategies for catalytic brownfield sites and conduct essential pre-development environmental assessment at 30 Main Street, as referenced in the City's Nomination Study; and

WHEREAS, in accordance with application requirements, all grants require a local match equal to 10 percent of the requested grant amount; and

WHEREAS, the required \$33,334 match will be paid for out of account A8020.515.

NOW, THEREFORE, BE IT RESOLVED, the City Council supports the submission of this Pre-Development BOA application seeking \$300,000 to develop and implement marketing strategies for catalytic brownfield sites and conduct essential pre-development environmental assessment at 30 Main Street.

BE IT FURTHER RESOLVED, that the Ogdensburg City Manager or her designee is hereby authorized to submit a BOA Pre-Development funding application, and if received, to enter into any necessary contracts to accept and administer said grant in a timely manner.

The vote was:

CARRIED, AYES ALL

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7. Mayor Ashley moved a resolution authorizing the submission of a 2019 Empire State Development (ESD) Strategic Planning and Feasibility Grant for the Lockwood Arena, and Councillor Skamperle seconded to wit:

A RESOLUTION TO AUTHORIZE THE SUBMISSION OF A  
2019 CONSOLIDATED FUNDING APPLICATION FOR STRATEGIC  
PLANNING AND FEASIBILITY STUDIES

WHEREAS, Grants of up to \$100,000 are available to undertake studies, surveys or reports, and feasibility studies and preliminary planning studies to assess a particular site or sites or facility or facilities for any economic development purpose other than residential, through Empire State Development (ESD); and

WHEREAS, the City of Ogdensburg desires to submit an application for funding a feasibility study and building conditions assessment of the Lockwood Arena; and

WHEREAS, in accordance with application requirements, all grants require a local match equal to 50 percent of the requested grant amount, of which at least 10 percent of total project costs shall be in cash; and

WHEREAS, the required 50% match of \$87,500 will be paid for out of account A8020.515.

NOW, THEREFORE, BE IT RESOLVED, the City Council supports the submission of this Strategic Planning and Feasibility Study application seeking \$87,500 in grant funds to complete a feasibility study and building conditions assessment of the Lockwood Arena.

BE IT FURTHER RESOLVED, that the Ogdensburg City Manager or her designee is hereby authorized to submit an ESD Strategic Planning and Feasibility Study funding application, and if received, to enter into any necessary contracts to accept and administer said grant in a timely manner.

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The vote was:

CARRIED, AYES ALL

Councillor Price made a motion to amend the agenda to remove Bill#56 and Bill #58, and Mayor Ashley seconded the motion.

The vote was:

CARRIED, AYES ALL

8. Councillor Stevenson moved a resolution to extend the Airport Security Agreement with the Ogdensburg Bridge and Port Authority for three months, and Councillor Powers seconded to wit:

RESOLUTION TO AUTHORIZE EXTENSION OF THE AIRPORT SECURITY AGREEMENT WITH THE OGDENSBURG BRIDGE AND PORT AUTHORITY

WHEREAS, the current Agreement between the City of Ogdensburg and the Ogdensburg Bridge and Port Authority for the provision of Airport Security services by the City of Ogdensburg Police Department expires on June 30, 2019, and

WHEREAS, the City of Ogdensburg and the Ogdensburg Bridge and Port Authority desire to continue these services but need additional time to negotiate a new Agreement,

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council hereby authorizes the extension of the current Agreement for three additional months, to expire on September 30, 2019, and be it further

RESOLVED, that all terms of the current Agreement will continue unaltered during this timeframe, and be it further

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RESOLVED, that a copy of this resolution be given to the Ogdensburg Bridge and Port Authority.

The vote was:

CARRIED, AYES ALL

Councillor Stevenson made a motion to add Bill #59 to the agenda, and Councillor Price seconded the motion.

The vote was:

CARRIED, AYES ALL

9. Councillor Skamperle moved a resolution confirming the use of a Project Labor Agreement for the Wastewater System Improvements Capital Project, and Councillor Stevenson seconded to wit:

RESOLUTION CONFIRMING THE USE OF A PROJECT LABOR  
AGREEMENT FOR THE WASTEWATER SYSTEM IMPROVEMENTS  
CAPITAL PROJECT

WHEREAS, the City of Ogdensburg wishes to utilize a Project Labor Agreement for its \$35 million wastewater system improvements capital project, and

WHEREAS, the financing of this capital project includes a grant/loan package of up to \$4,890,100 from the United State Department of Agriculture Rural Development, and

WHEREAS, the USDA RD has notified the City of Ogdensburg that the use of a Project Labor Agreement jeopardizes the City's eligibility for the grant/loan package of up to \$4,890,100, and

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WHEREAS, the New York State Environmental Facilities Corporation has offered to provide the City with up to \$4,890,100 in a 30-year loan at 1.6% interest, understanding that the City wishes to utilize a Project Labor Agreement,

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council confirms the use of a Project Labor Agreement for the wastewater system improvements capital project, and be it further

RESOLVED, that the City Manager and the City Comptroller are hereby authorized to undertake all necessary steps to secure the additional Environment Facilities Corporation funding, and be it further

RESOLVED, that the City Manager is hereby authorized to undertake all necessary steps to withdraw the City from the use of the USDA RD funds.

Councillor Skamperle said it has been a long haul to reach this point, but it will be an excellent project. Councillor Skamperle explained the highest standards will be met, and the people completing the work will give us that. Councillor Skamperle added New York State needs to recognize the importance of using a PLA. Councillor Powers said he is happy to be part of the success to keep unionized workers working and the project on track and moving.

The vote was:

CARRIED, AYES ALL

## OLD BUSINESS

1. Councillor Stevenson said she was assured at the May 28, 2019 Council meeting that a plan was in place for the hydrant flushing to minimize the effect on businesses, but she received a call that a business owner only received 45 minutes notice on a Friday night.

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Fire Chief Michael Farrell said he has spoken to the business owner on this matter. Chief Farrell explained the flushing was originally scheduled for Wednesday, but there was a fire on that day. Chief Farrell said he was not aware the business owner was only given 45 minutes notice, and he will address that issue. Chief Farrell said he will explore alternative ways to complete the flushing and noted Monday might be a better option since the business is closed on that day. Councillor Stevenson said she hopes there is a better plan in place for next year.

### NEW BUSINESS

1. Councillor Stevenson said there is an area on Spinner Street where brush and weeds are hanging over the sidewalk. Councillor Stevenson said she saw kids on bikes fall into the overgrown area and asked that it be addressed.

2. Councillor Stevenson asked for an update on the loose crushed stone and orange barrel at the intersection of Anthony and John Streets. City Manager Sarah Purdy said she will provide Council with an update.

### ITEMS FOR DISCUSSION

1. Mayor Ashley said the City's population has declined since the 1960's and suggested a feasibility study to see if Ogdensburg should become a village. City Manager Sarah Purdy said she will look into grants that may be available to perform a study. Ms. Purdy explained it will take some time to locate available grants and talk with the State and noted something of this magnitude wouldn't happen overnight. There was a consensus of Council to explore the options, and Ms. Purdy said she will provide Council with a report at the August meeting.

2. City Manager Sarah Purdy said there is a fire truck grant opportunity with USDA RD but noted there is a short timeframe for the application. Director of Planning and Development Andrea Smith said there are issues with one of our fire trucks, and the City is eligible for the Community Facilities Grant program.

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Ms. Smith explained it is a loan with a partial grant, but the rate would be better than traditional financing. There was a consensus of Council to proceed with the application process.

Mayor Ashley said there was a need for Executive Session to discuss collective negotiations, and Councillor Price seconded the motion.

The vote to adjourn to Executive Session was:

CARRIED, AYES ALL

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