

CITY COUNCIL MEETING

April 8, 2013

Page 100

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

PRESENT: Mayor Nelson, Councillors Ashley, Cilley,
Hosmer, Morley, Skamperle and Stevenson

ABSENT: None

PERSONAL APPEARANCE

1. David Bayne, Executive Director of Step by Step, addressed Council. Mr. Bain explained that his facility is moving from 103 Ford Street to 101 Ford Street. Mr. Bain said he would like to put a door on the backside of the building to the yard area for his clients to smoke. Mr. Bain said he needs Council's permission as the yard area is City property and he would like to put a gazebo out there for the clients to sit in and smoke. Mayor Nelson turned this request over to the City Manager for staff to review and make a recommendation to Council. City Manager John Pinkerton asked Mr. Bain for plans. Mr. Bain told Mr. Pinkerton that he will have his architect draw up plans for Code Enforcement.

2. Reverend Dr. David Piatt, 623 Caroline Street, First Methodist Church, advised Council that he wants to hold a National Prayer Day event in front of City Hall on Thursday, May 2, 2013 at 12:30 pm. There was a consensus of Council to approve this request.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #7-2013 in the amount of \$387,574.43 and Library Fund Warrant #7-2013 in the amount of \$22,285.11 and Capital Fund Warrant #7-2013 in the amount of \$116,336.58 and Community Development Fund Warrant #7-2013 in the amount of \$2,940.00 and Community Renewal Fund Warrant #7-2013 in the amount of \$29.62 and HOME Fund Warrant #7-2013 in the amount of \$0.00 and AHC Funds Warrant #7-2013 in the amount

CITY COUNCIL MEETING

April 8, 2013

Page 101

of \$0.00, RESTORE Program Warrant #7-2013 in the amount of \$0.00 and NSP Funds Warrant #7-2013 in the amount of \$997.90 and NY Main St. Program Warrant #7-2013 in the amount of \$0.00 as audited, be and the same are ordered paid and Councillor Skamperle seconded the motion.

Councillor Skamperle asked for an explanation about the NSP Warrant for \$997.90. City Manager John Pinkerton said it was for the appliances at 113 Adams Avenue.

The vote was:

CARRIED, AYES ALL

APPOINTMENTS

1. Mayor Nelson moved to appoint Larry Mitchell to fill the unexpired term of John White on the Recreation Commission, term will expire 12/31/13, and Councillor Stevenson seconded the motion.

The vote was:

CARRIED, AYES ALL

2. Mayor Nelson moved to appoint Seth Pinkerton to a two year term as a student representative on the Recreation Commission, term to expire 12/31/14, and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

CITY COUNCIL MEETING

April 8, 2013

Page 102

3. Mayor Nelson moved to appoint Jack Manke to a two year term as an alternate student representative on the Recreation Commission, term to expire 12/31/14, and Councillor Hosmer seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Morley moved a resolution to approve the 2013 Tax Warrant, and Councillor Skamperle seconded to wit:

RESOLUTION

WHEREAS, the Tax Roll of the City of Ogdensburg, for the fiscal year January 1, 2013 through December 31, 2013, has been completed, and,

WHEREAS, Section C70 of the City Charter directs that when the tax rolls have thus been completed, a warrant signed by the City Manager and the City Clerk shall be attached hereto directing the Comptroller to collect from the persons named in the rolls the sum specified as levied against the parcels as owned by them, and

WHEREAS, the tax was computed on the taxable valuation of \$275,265,039 and the tax rate is \$16.737411 per thousand for the General City Tax and the taxable valuation of \$275,734,170 and the tax rate is \$11.231994 per thousand for the General County Tax for the fiscal year January 1, 2013 through December 31, 2013 and the tax roll will produce the following:

CITY AND COUNTY TAX	\$	7,704,268.88
DUE WATER ACCOUNT		142,297.04
DUE SEWER ACCOUNT		166,174.48

CITY COUNCIL MEETING

April 8, 2013

Page 103

DUE MISCELLANEOUS ACCOUNT	33,609.30
OMITTED TAXES	<u>14,361.01</u>
TOTAL	\$ <u>8,060,710.71</u>

NOW THEREFORE, pursuant to Section C70 of the City Charter, the Tax Roll of the fiscal year 2013 is confirmed and the warrant in the sum of \$8,060,710.71 annexed thereto and be signed for the collections of all taxes in two installments; the first installment commencing April 15, 2013 and the second installment commencing July 15, 2013, and that all taxes shall be liens on the real property against which the sum levied is superior to all other liens and encumbrances from the date of signing of said warrant.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Morley thanked City Manager John Pinkerton for providing the C.W. Augustine information.
2. Councillor Morley stated he previously requested an update on the arena operations for 2012 and 2013 and hasn't received it. Mr. Pinkerton stated that the Recreation Director was on vacation, but will provide that information when he returns.
3. Councillor Morley stated he is confused by the Growth Fund Board. Councillor Morley said he agrees with a local business that too many City people are on the board and it should be independent from the City. Councillor Stevenson agreed. Mr. Pinkerton stated City staff provides support to the Growth Fund and without those City resources the Growth Fund would have to pay for those services. Mayor Nelson stated there are nine members on the Growth Fund Board; two from City Hall.

CITY COUNCIL MEETING

April 8, 2013

Page 104

Mayor Nelson stated that the City doesn't override the Growth Fund Board as it has seven strong members and he is on the board to protect the City's interests. Mayor Nelson stated that many businesses have been rejected for loans. Mayor Nelson advised Council that the Growth Fund meetings are open to the public and the minutes are available on our website.

4. Councillor Morley stated the Zoning Board recently voted 4-0 to allow an antenna at the new Rescue Squad building after it was already up. Councillor Morley said there should be a severe penalty when variances are granted after the fact. Councillor Cilley said the first time the Rescue Squad went before the ZBA there wasn't a quorum and only four board members showed up the second time, citing concern about board members' attendance. Councillor Morley said we need to look at our boards. Mayor Nelson said that before board members are re-appointed we look at their attendance records. Mayor Nelson asked for an update on attendance records for members of all boards. Mayor Nelson also asked for a report showing how often a variance has been requested after construction over the past five years. Councillor Cilley said the tower was in the original plans but not in the site plan review. Councillor Cilley explained it was an oversight. Councillor Hosmer asked if there is any penalty when a project is completed without prior approval. Mayor Nelson said there is a penalty for not getting a building permit prior to construction, but he is not sure if a penalty exists for requiring a variance after construction is completed. Councillor Morley said there are rules to follow when building, and there should be a penalty when the rules are ignored. City Manager John Pinkerton said he was at the meeting, and the Zoning Board members asked pertinent, detailed orientated questions, and the rules and regulations were also discussed. Mr. Pinkerton said everyone thought the Rescue Squad was compliant. Councillor Morley said the Rescue Squad needs the tower. Mr. Pinkerton said he will gather the information requested by Council.

5. Councillor Hosmer said last May Barton & Loguidice told Council that the next phase of the Shade Roller project would be finished by March. Councillor Hosmer said he wants to know what the future of that project will be and requested a timeline for the next year. Mr. Pinkerton said most of the work is done, but the contract is not settled. Mr. Pinkerton explained we don't have confirmation that the property was properly cleaned before the contractor left the site.

CITY COUNCIL MEETING

April 8, 2013

Page 105

6. Councillor Hosmer asked if the Dobisky Center concession stand lease was a one or two year lease. Mr. Pinkerton said he will check on the term of the lease.

7. Councillor Hosmer said he previously suggested the City apply for a Blue Way Trail grant. Councillor Hosmer explained it highlights the areas between Gouverneur, Heuvelton, Oswegatchie and Ogdensburg, showing campgrounds and eateries. Mr. Pinkerton said it is in the City's long range waterfront development plan, but he wants a consensus of Council to utilize the resources to participate. Mr. Pinkerton explained we have the application, and we would have to partner with Gouverneur and Oswegatchie. Mr. Pinkerton said we are on the Seaway and Maple Trail, and this grant would add us to the Blue Way Trail. Mr. Pinkerton said he will contact Gouverneur and Oswegatchie to discuss it. Councillor Hosmer said he believes the trail also loops into Jefferson County. There was a consensus of Council to apply for the grant.

8. Councillor Hosmer asked for an update on the condition of the Desperado's Building. Mr. Pinkerton said he toured the building eight weeks ago, and it is in terrible shape. Mr. Pinkerton explained he has talked to Congressman Owens and Senator Gillibrand for funding. Mr. Pinkerton said he would like to save the building, but he is not sure it is possible. Councillor Stevenson asked if there is a tarp system on the third floor. Mr. Pinkerton said it is still set up to direct some of the water to a drain. Mayor Nelson asked for a cost estimate to button up the property, noting it is in the Main Street area. Mr. Pinkerton said we went through Barton & Loguidice for the asbestos assessment, but we need an estimate to stop the damage.

9. Councillor Skamperle asked for an update on the Cheese Plant. Mr. Pinkerton said City Attorney Andy Silver will provide an update for Council.

10. Councillor Skamperle asked for an update on Crescent Hill. Mr. Pinkerton said the 70 foot area between the pump house and the bridge was started today, and we would like to do a controlled burn after the burning ban is lifted in May. Mr. Pinkerton said the area south of the stairs has undergrowth, vines and bamboo issues, and needs to be dug up. Mr. Pinkerton said we can't get to the top part of the hill, but will cover it with tarps so it doesn't get sunlight.

CITY COUNCIL MEETING

April 8, 2013

Page 106

11. Councillor Skamperle asked for an update on the Healthcare Task Force. Mr. Pinkerton said it is too early for an update because the meetings held have been to provide information and to educate.

12. Councillor Skamperle asked where we are taking City brush. Mr. Pinkerton said Re-Energy has Co-Gen's looking for wood fill. Public Works Director Kit Smith said we have been stock piling it and will start the spring cleanup in two weeks. Mr. Smith said we have asphalt and other issues buried that will have to decompose. Mr. Smith said they will come in a couple times per year and take what we can stock pile. Mr. Smith said there will be chipping and mulching on Crescent Hill, but they will leave the stumps to stabilize the hill. Councillor Skamperle asked if we can kill the box elder stumps. Mr. Smith said we cannot use pesticide. Mr. Pinkerton said the trees and vines are intertwined and need to be cleared out first.

13. Councillor Ashley said some City Board members are not showing up and asked that letters be sent advising them of the attendance policy. Mr. Pinkerton said Director of Planning & Development Andrea Smith contacts people when they are having difficult times and not making meetings.

14. Councillor Ashley asked for the update on the Paterson Street project. Public Works Director Kit Smith said he has met with the Department of Transportation three times in the past few months on this federal project, reviewing the plans. Mr. Smith said he anticipates the project will be approved and go out for bid at the end of May. Mr. Smith said construction should begin in June or July. Mr. Smith explained they have met regarding the utilities, and there will be a new sub-base, water and sewer installed. Councillor Morley asked if there will be new poles for the utilities. Mr. Smith said yes and all will be located on the east side. Mr. Smith explained there may be an issue, but he is impressed with the coordinating of the utilities. Mayor Nelson asked if we will be contacting homeowners. Mr. Smith said homeowners will be contacted about the right of way and articles will be in the paper. Mr. Smith said he doesn't have the final dates or the final design but wants to hold another neighborhood meeting. Mayor Nelson said the design and starting date should be linked to our website. Mr. Pinkerton agreed. Mr. Smith said he wants to see the legal notice in the paper first, and then he will talk to Patricia Paquin about the website update.

CITY COUNCIL MEETING

April 8, 2013

Page 107

15. Councillor Ashley said the streets look very nice and credited the Department of Public Works. Mayor Nelson said they also kept up with the potholes.

16. Councillor Cilley said after the budget passed Council talked about looking for ways to save money and suggested we start now. Mr. Pinkerton advised Council that at each second staff meeting of the month we review the budget by department and get updated. Mayor Nelson asked if we have labor management meetings, and Mr. Pinkerton said no. Mayor Nelson said communication is important and employees want the same thing. Mayor Nelson said four years ago there was a roomful of employees at a meeting, and Council challenged them to save money. Mr. Pinkerton said he is trying to get out and meet with employees.

17. Councillor Stevenson said Council was told in October that all of the buses on Paterson Street would be gone by the end of the year. Mr. Pinkerton said he will look into it and update Council.

ITEMS FOR DISCUSSION

1. City Manager John Pinkerton requested Council input regarding the Electric Car Charging Station Contract. Mr. Pinkerton explained he has spoken with City Attorney Andy Silver regarding the legality of this issue. Mr. Pinkerton said the program is authorized by a state agency, NYSERDA, and can be installed without charge. Mr. Pinkerton said the problem is the municipality will pay for the electricity, and he wants to know if Council wishes for him to pursue it by contacting the State Comptroller. Councillor Cilley asked if Watertown discussed it with the State Attorney or the State Comptroller. Mr. Pinkerton said it was discussed with the State Attorney. Councillor Skamperle said this issue was first discussed as a private enterprise. Mr. Pinkerton said he spoke with people at National Grid who indicated they want it located at the Lockwood Arena or the Visitor's Center, and it is strictly for municipalities. Councillor Stevenson asked for the cost per car to charge and the term of the lease. Mr. Pinkerton said he believes it is a five year lease. Councillor Stevenson asked what our cost will be in five years and how many kilowatts are used to charge a car. Mr. Pinkerton said a car can go 60 miles before it needs to charge for 6 hours.

CITY COUNCIL MEETING

April 8, 2013

Page 108

Councillor Ashley said he spoke with the Watertown City Manager who said she was advised by the State Comptroller's Office that a municipality cannot give a service away. Councillor Ashley said Watertown was discouraged from doing anything on municipal property. Councillor Ashley said he doesn't believe the demand is there. Mayor Nelson said he has received five emails from Canadians asking for a charging station.

Councillor Ashley said it would be better for a private business to do this. Councillor Cilley said out west they have electric meters on the street lights. Mr. Pinkerton said the first five years is a free lease and we cannot charge for electricity. Councillor Skamperle asked for the cost of buying a charging station. Mr. Pinkerton said it is \$15,000, and there is not enough volume to support buying one. Mayor Nelson suggested we get the State Comptroller's opinion. Mayor Nelson said there is no money to be made now and suggested we get the facts to move green. Councillor Morley suggested the charging station go to a private enterprise like Wal-Mart to make money and not in an arena parking lot. Councillor Stevenson said it is not a bad thing to bring people downtown and into the marina district. Councillor Skamperle questioned if the Arena's solar panel power is all being used on the building, or is there some left over. Mr. Pinkerton explained that when we create an excess of energy, we get a credit. Councillor Skamperle questioned if we could use the extra credit for the charging station. Councillor Morley said he doesn't believe it should be located at the Community Center where we would lose two parking spots. Mayor Nelson said we should get the facts first.

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