

## CITY COUNCIL MEETING

July 9, 2007

Page 126

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

PRESENT: Mayor Nelson, Councillors Ericksen, Flynn, Hannan,  
LaMacchia, LaRose and Morley

ABSENT: None

### PUBLIC HEARING

1. A public hearing was held regarding a proposed ordinance amending Chapter 157, Article II, entitled "Street Festivals" of the Code of the City of Ogdensburg. No one being present to speak, the hearing was closed.

### CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in Warrant #13-2007 in the amount of \$504,034.27, and Library Warrant #13-2007 in the amount of \$26,412.55 and Community Development Fund Warrant #13-2007 in the amount of \$6,832.09 and Capital Fund Warrant #13-2007 in the amount of \$62,808.94 as audited, be and the same are ordered paid and Councillor LaRose seconded the motion.

The vote was:

CARRIED, AYES ALL

### APPOINTMENTS

1. Mayor Nelson moved to reappoint Irene Wesley to serve a three year term on the Pride and Beautification Commission, term to expire December 31, 2009, and Councillor Ericksen seconded the motion.

CITY COUNCIL MEETING

July 9, 2007

Page 127

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Flynn moved a proposed ordinance amending Chapter 157, Article II, entitled "Street Festivals" of Code of the City of Ogdensburg, and Councillor LaMacchia seconded to wit:

ORDINANCE #6 OF 2007  
AN ORDINANCE TO AMEND CHAPTER 157 OF THE MUNICIPAL CODE  
OF THE CITY OF OGDENSBURG

Be it ordained by the City Council of the City of Ogdensburg as follows:

Section 1: Section 157-18 be and the same is hereby amended to read as follows:

FESTIVAL -- a series of related events or performances conducted on city property, sidewalks, streets and other public rights-of-way, including but not limited to festive activities, cultural events, exhibitions, farmer's market, green market, craft market, competitions, collections of shows, live entertainment and other amusement enterprises and/or the dispensation of food, which is open to the public at large.

Section 2: Section 157-26(A) be and the same is hereby amended to read as follows:

The duration of a license for a festival shall be for not more than ten consecutive days or for one day per week for not more than 26 consecutive weeks, after which period it shall lapse.

Section 3: This ordinance shall take effect ten (10) days after publication of notice that shall give the title and describe the same in summary form.

CITY COUNCIL MEETING

July 9, 2007

Page 128

Councillor Flynn moved to amend Section 157-26 (b) from “between the hours of 11:00 a.m. and 11:00 p.m., Monday to Saturday” to “between the hours of 8:00 a.m. and 11:00 p.m., Monday to Saturday”.

After some discussion, Councilor Flynn withdrew his motion.

The vote was:

CARRIED, AYES ALL

2. Councillor LaRose moved a resolution authorizing the City Manager to approve the transfer of the City Court Security functions from the Ogdensburg Police Department to the Unified Court System, effective 8/23/07, and Councillor Morley seconded to wit:

**RESOLUTION AUTHORIZING THE CITY MAMANGER TO APPROVE THE TRANSFER OF THE CITY COURT SECURITY FUNCTIONS FROM THE OGDENSBURG POLICE DEPARTMENT TO THE UNIFIED COURT SYSTEM**

RESOLVED, that the New York State Unified Court System has contacted the City of Ogdensburg in accordance with Section 70 of the Civil Service Law and Section 25.26 of the Rules of the Chief Judge, regarding the Unified Court System assuming the responsibility for the security functions at the Ogdensburg Courthouse; and

RESOLVED, that the following four Ogdensburg City Police Department employees will have met the criteria established by the New York State Unified Court System:

Andrew P. Wells, Police Chief  
Andrew R. Hollis, Police Officer  
Jamie A. Kotz, Police Officer  
Arthur J. Spriggs, Police Officer

## CITY COUNCIL MEETING

July 9, 2007

Page 129

BE IT FURTHER RESOLVED, that the City Manager is authorized to approve the transfer of the City Court security functions from the Ogdensburg City Police Department to the New York State Unified Court System effective August 23, 2007.

Councillor Morley congratulated the officers on their transfer to the Court System.

The vote was:

CARRIED, AYES ALL

### OLD BUSINESS

1. Councillor LaMacchia asked for an update on the Ford Street realignment project, and asked if it be done for the Seaway Festival Parade. DPW Director Kit Smith stated the sidewalks and curbs are in on the one side of the street, and they are not going to touch the curbs on the river side or mill the street until after the Seaway Festival parade.

2. Councillor LaMacchia asked if there was any progress on showers at the Lockwood Arena. City Manager Art Sciorra stated he would continue to pursue this after the new Recreation Director was appointed.

3. Councillor Hannan asked how the selection for the new Recreation Director was going. City Manager Art Sciorra said they had received 60 applications; 29 met the Civil Service qualifications and seven applicants were selected for an interview by the selection committee this week.

4. Councillor LaMacchia asked when the grand opening for the Dobisky Center was scheduled. City Manager Art Sciorra said it was July 28<sup>th</sup> at 9 AM.

5. Councillor LaMacchia asked for an update on the City Hall renovation work. City Manager Art Sciorra stated the work was on schedule.

## CITY COUNCIL MEETING

July 9, 2007

Page 130

6. Councillor LaMacchia asked about the status of NYSDOT installing a traffic light at Champlain Street and Route 37. Mayor Nelson said DOT has advised that there was no need for a light there. Councillor LaMacchia asked if we had any further recourse. Mayor Nelson said DOT could not justify a traffic light at this point, but they have advised us that the adjacent business owners could pay for the light and the expense to operate it if they chose. City Manager Art Sciorra said that possibly the increased traffic might warrant a traffic light in the future.

7. Councillor Morley asked if the Clickner building demolition had started. City Manager Art Sciorra said no, they are waiting for us to finalize paperwork. Mr. Sciorra said the contractor has until the end of July to demolish the building. Mr. Sciorra added that we are negotiating with Mrs. Montgomery for the Culligan Building, which is connected to the Clickner Building. City Attorney Kathy Wears said the contract went to Mrs. Montgomery, but the closing will not be done by July 31<sup>st</sup>. City Manager Art Sciorra said the contractor can demolish the Clickner Building without removing the Culligan portion. Mr. Sciorra added that there were no asbestos issues with the Clickner Building.

8. Councillor LaRose asked about the status of the RFP's (request for proposals) for the Visitor's Center concession. City Manager Art Sciorra stated we had not received any and will need to take another look at the criteria. Mr. Sciorra added that we are looking for input from vendors who originally picked up RFP's.

9. Councillor LaRose asked for an update on the Kiwanis Club Riverside Avenue property. Councillor LaRose said it was his understanding that there were a couple of things that needed to happen. City Manager Art Sciorra said that the City attorney is talking to their attorney and things are moving along. City Attorney Kathy Wears said a draft of the proposed agreement was sent to them last week and she hasn't heard anything. Councillor LaRose said there are Kiwanis games this weekend and that youth baseball is very important to City residents, and hopefully to this Council and future Councils.

10. Councillor LaRose told Police Chief Andrew Wells that he had received two calls from Ford Street residents regarding chairs, vehicles, campers being placed or parked on the grass in front of their homes prior to and during the Seaway Festival each year, and asked what could be done.

## CITY COUNCIL MEETING

July 9, 2007

Page 131

Police Chief Wells said he has had this discussion with the City Attorney and it was determined that the property owner owns the property and the City has the right of way. Police Chief Wells added that if a property owner requests someone get off their property and they don't, they can be issued a trespass summons. Councillor LaRose said that Seaway Festival Chairman, Ken Cole, will try to encourage residents to use courtesy.

11. Mayor said the Seaway Festival runs from July 21<sup>st</sup> through July 29th.

12. Councillor Flynn asked if we had a better map of the Maple City Trail. City Attorney Katherine Wears said she and City Planner, Martin Murphy had a 10:00 am meeting tomorrow with the surveyor and will request a better map.

13. Councillor Hannan asked if a meeting with ANR has been scheduled. City Manager Art Sciorra said they seem reluctant to give us a date to meet.

Mr. Sciorra said the police are ensuring the registration of sex offenders and Code Enforcement is doing housing inspections, with larger landlords being done first. Councillor Hannan said we should address the landlords where sex offenders live, and make sure those buildings are up to code. He added there was an interesting article on sex offenders in the Post Standard this morning regarding their legal costs that are paid by taxpayers.

### NEW BUSINESS

1. Councilor Flynn stated that he asked the Fire Chief to attend the next meeting to review Chapter 85 of the Ogdensburg Municipal Code regarding open burning.

ITEMS FOR DISCUSSION

1. Mayor Nelson said the Ribbon Cutting Ceremony for the Dobisky Center will be July 28 at 9 AM.

Mayor Nelson moved to adjourn to Executive Session, and Councillor LaRose seconded the motion.

Upon returning from Executive Session, all members of Council were still present.

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