

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

PERSONAL APPEARANCE

1. Robert Flavin, 116 Ogden Street, addressed Council regarding the placement of flags in the local cemeteries for veterans. Mr. Flavin said he is embarrassed that Council eliminated the funding for the flags from the budget. Mr. Flavin asked Council to find a way to restore that funding.

CONSENT AGENDA

Mayor Ashley moved that the claims as enumerated in General Fund Warrant #04-2017 in the amount of \$327,624.52 and Library Fund Warrant #04-2017 in the amount of \$21,017.02 and Capital Fund Warrant #04-2017 in the amount of \$0.00 and Community Development Fund Warrant #04-2017 in the amount of \$0.00 and Community Renewal Fund Warrant #04-2017 in the amount of \$4,875.46 as audited, be and the same are ordered paid and Councillor Morley seconded the motion.

The vote was:

CARRIED, AYES ALL

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ITEMS FOR COUNCIL ACTION

There was a consensus of Council to amend the agenda and move Bill #24 to the first item for Council action so that GHD Consulting Services, Inc. representatives could return to Syracuse sooner.

1. Councillor Morley moved a resolution to authorize the City Manager to sign an agreement with GHD Consulting Services Inc. for the Wastewater System Improvement Project, at a cost of \$3,612,700., pending review and approval of the City Attorney, and Councillor Stevenson seconded to wit:

RESOLUTION TO AUTHORIZE THE CITY MANAGER TO SIGN AN AGREEMENT BETWEEN THE CITY AND GHD CONSULTING SERVICES, INC. FOR THE WASTEWATER SYSTEM IMPROVEMENTS PROJECT

WHEREAS, the City and GHD Consulting Services Inc. (GHD), wish to enter into an agreement for GHD to provide the City with Design, Bidding and Construction Phase Services for Improvements at the Ogdensburg Wastewater Treatment Plant (WWTP), Main Street Pump Station, South Water Street Pump Station, Psychiatric Center Pump Station, and for Long-Term Control Plan (LTCP) Improvements; and

NOW, THEREFORE, BE IT RESOLVED that the City Manager, Sarah Purdy, is hereby authorized and directed to sign the attached Scope of Services Agreement, at a cost of \$3,612,700., pending review and approval of the City Attorney.

BE IT FURTHER RESOLVED that the funds to pay for this work will be appropriated from Wastewater System Capital Improvements Project.

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Councillor Skamperle asked if the engineering and consulting fees are included in the specific bond amount. City Manager Sarah Purdy said yes and explained the City will have five years to pay down the amount before it gets converted to an actual bond. Councillor Morley asked if the figure is a fixed price. Mike Tamblin, GHD Consulting Services Inc., said the amount is the maximum fee and is specific to the scope of services discussed at the last City Council meeting.

The vote was:

CARRIED, AYES ALL

2. Councillor Skamperle moved a resolution to appoint the 2017 City of Ogdensburg Charter Review Commission members, and Councillor Price seconded to wit:

A RESOLUTION TO APPOINT MEMBERS TO
THE CITY OF OGDENBURG
2017 CHARTER REVIEW COMMISSION

WHEREAS, the duty of the Charter Review Commission is to review the Ogdensburg City Charter in its entirety and make recommendations to the City Council; and

WHEREAS, pursuant to § C-100. of the Ogdensburg City Charter, the Mayor and City Council shall either appoint a Charter Review Commission or place on the ballot the election of a Charter Review Commission no later than December 31, 2017, and

WHEREAS, the Ogdensburg City Charter must be reviewed immediately following each ten-year period thereafter; and

WHEREAS, the Charter was last reviewed in 2007; and

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WHEREAS, should the appointment/election of a Charter Review Commission not occur by December 31, 2017, or in the ten-year periods immediately thereafter, all powers of the City vested in City Council pursuant to the Charter shall be vacated other than to cause the establishment of a Charter Review Commission, at which time vacated powers shall be restored; and

WHEREAS, the appointed/elected Charter Review Commission shall consist of two members from each of the election districts in the City.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council, having reviewed the submitted list of candidates for the Ogdensburg Charter Review Commission, appoint the following to the Charter Review Commission:

<u>District 1</u>	<u>Sean P. O'Brien</u>	<u>Donald O'Shea</u>
<u>District 2</u>	<u>Laura Pearson</u>	<u>Andrew Putman</u>
<u>District 3</u>	<u>Frederick Bean</u>	<u>Kevin Kendall</u>
<u>District 4</u>	<u>Sean McNamara</u>	<u>Storm Cilley</u>
<u>District 5</u>	<u>Laura Ashley</u>	<u>Christopher Pitcher</u>
<u>District 6</u>	<u>Douglas Loffler</u>	<u>Scott McRoberts</u>

The vote was:

CARRIED, AYES ALL

3. Councillor Stevenson moved a resolution authorizing the City Manager to enter into a contract with Premier Roof Systems, Inc. for the DPW Salt Barn Roof Replacement Project for a sum not to exceed \$92,000.00, and Councillor Skamperle seconded to wit:

RESOLUTION AUTHORIZING APPROPRIATION OF FUNDS
AND AWARD OF CONTRACT
FOR THE DPW SALT BARN ROOF REPLACEMENT

WHEREAS, bids have been solicited and received for the Department of Public Works Salt Barn Roof Replacement project; and

WHEREAS, Tisdell Associates has evaluated the bids and found no reason to object to the award of the contract to the lowest responsible bidder;

WHEREAS, the lowest responsible bidder is a company that has demonstrated their ability and have sufficient forces and equipment to satisfactorily complete the project;

NOW, THEREFORE, BE IT RESOLVED that Sarah Purdy, City Manager, is hereby authorized to enter into the following contract, for the designated project, on behalf of the City;

Premier Roof Systems, Inc. 255 B Rose Road Harrisville, NY 11648	\$83,238.00 (includes Alternate No.1)
Contingency Funds	<u>\$ 8,762.00</u>
TOTAL PROJECT – Not to exceed	\$92,000.00

BE IT FURTHER RESOLVED that the funds to pay for this project will come from the following sources:

Water Fund – Capital Construction	F8340.330	\$46,000.00
Sewer Maintenance-Capital Construction	G8120.330	<u>\$46,000.00</u>
Total funds		\$92,000.00

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Councillor Morley asked if funds have already been set aside for this project. Public Works Director Scott Thornhill explained he had asked for an equal split between the water and sewer capital construction funds for this project in 2015, but the project never moved forward. Mr. Thornhill said the DPW garage work that was completed last year was equally split between these two funds so he asked for this project to be allocated in the same manner this year. Councillor Morley asked how Mr. Thornhill could justify using water and sewer funds for the salt barn roof replacement. Mr. Thornhill explained the salt barn has an alternate use during the summer months for water and sewer projects. Mayor Ashley asked if the shingled roof will be removed. Mr. Thornhill explained the roof will be stripped, and new asphalt and rubber membranes will be installed. Mr. Thornhill said if we do not address this project now, substructure issues will surface which will increase the cost. Councillor Skamperle said he supports the equal split between the water and sewer funds because all property owners contribute to those funds.

The vote was:

CARRIED, AYES ALL

4. Mayor Ashley moved a resolution authorizing the City Manager to sell City-owned property located at 48-52 Paterson Street (formerly Newell's Property) to River Vista Holdings, Inc. for \$66,734., subject to City Attorney's review and approval of sales documents, and Councillor Skamperle seconded to wit:

RESOLUTION TO APPROVE THE SALE OF TAX PARCEL #48.071-5-47 TO RIVER VISTA HOLDINGS, INC.

WHEREAS, River Vista Holdings, Inc. has made a purchase offer for City-owned property located at 48-52 Paterson Street identified as Tax Parcel #48.071-5-47 (former Newell's Property) as obtained by the City under Real Property Tax Sale Law, Article 11, Foreclosure Proceedings, and

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WHEREAS, New York State Real Property Tax Law §1166 states that:

1. Whenever any tax district shall become vested with the title to real property by virtue of a foreclosure proceeding brought pursuant to the provisions of this article, such tax district is hereby authorized to sell and convey the real property so acquired, either with or without advertising for bids, notwithstanding the provisions of any general, special or local law.
2. No such sale shall be effective unless and until such sale shall have been approved and confirmed by a majority vote of the governing body of the tax district, except that no such approval shall be required when the property is sold at public auction to the highest bidder; and

WHEREAS, the redevelopment of this property is consistent with the Goals of the Strategic Management Plan, particularly the Goals for a Balanced, Sustainable Local Economy and Revitalizing Aging Neighborhoods and Commercial Areas; and

WHEREAS the City Manager has negotiated a sale price of \$66,734.;

NOW THEREFORE BE IT RESOLVED, that the City Council in accordance with New York State Real Property Tax Law § 1166, hereby authorizes the City Manager to sell Tax Parcel #48.071-5-47 to River Vista Holdings, Inc. for \$66,734., subject to City Attorney's review and approval of sales documents.

Mayor Ashley commended City Manager Sarah Purdy and city staff as well as Patrick Kelly and John Pinkerton from the St. Lawrence County Industrial Development Agency for working to get this parcel back on the tax roll and create jobs in the community. Councillor Morley also thanked Ogdensburg Bridge and Port Authority for their assistance.

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Councillor Stevenson agreed and said Council members received and considered a request that waterfront properties in the City be kept open for recreational use. Councillor Skamperle said he is happy the property will be improved and noted there is already industry in that area. Councillor Price said everyone would love Ogdensburg to become a destination city, but this development is good for the City. Ms. Purdy also thanked the Empire State Development Corp., Development Authority of the North Country, New York Power Authority and National Grid for their assistance with this project.

The vote was:

CARRIED, AYES ALL

5. Councillor Price moved a resolution to call for public notice and public hearing regarding a Local Law to amend the City Charter, Article VIII, §C-29 entitled Department of Planning and Development; Board of Planning and Development, and Councillor Morley seconded to wit:

RESOLUTION
INTRODUCING LOCAL LAW #1 of 2017

BE IT RESOLVED that proposed Local Law #1 of the year 2017 entitled:

Amendment to the City Charter, Article VIII, §C-29. entitled Department of Planning and Development; Board of Planning and Development, 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 Local Law be given to each member of the City Council, and

BE IT FURTHER RESOLVED, that the City Council hold a Public Hearing on said proposed Local Law at the City Council Chambers at 7:00 pm on March 27, 2017, and

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BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication, in the newspaper so designated for the publication of legal notices, at least seven days before the hearing date, of a notice setting forth the time and place and describing the proposed Local Law in summary form.

Councillor Morley asked why the board is being reduced to five members. Ms. Purdy explained this resolution simply calls for the Public Hearing to be held, and Director of Planning and Development Andrea Smith will be present at the March 27, 2017 Council Meeting to answer questions. Ms. Purdy said there has been difficulty keeping seven members on this board.

The vote was:

CARRIED, AYES ALL

6. Councillor Skamperle moved a resolution introducing public notice and a public hearing regarding a proposed ordinance amending Chapter 221, entitled 'Zoning', Article XVII entitled 'Administration and Enforcement', §221-82 "Planning Board" of the Code of the City of Ogdensburg, and Councillor Price seconded to wit:

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

WHEREAS, the Ogdensburg Planning and Development Board ("Board") has reviewed New York State General City Law, Article 3 §27 regarding the creation and appointment of Planning Boards; and

WHEREAS, the Board is recommending decreasing membership from seven members to five members in accordance with subsection 7 of the above cited New York State Law.

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NOW, THEREFORE BE IT RESOLVED that the Ogdensburg City Council shall hold a public hearing on the 27th day of March, 2017 at 7:00 p.m., at the City Council Chambers in the Ogdensburg City Hall, 330 Ford Street Ogdensburg NY, regarding this proposed ordinance change.

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication in the official City newspaper at least ten (10) days prior to the date of the public hearing setting forth the time and place and describing the proposed application in summary form.

Councillor Skamperle said he would like to hear both sides of this issue before making a decision. Councillor Morley said there have always been several people willing to serve on this board. Mayor Ashley said Director of Planning and Development Andrea Smith will be available to answer questions at the March 27, 2017 Council Meeting.

The vote was:

CARRIED, AYES ALL

7. Councillor Mitchell moved a resolution to approve the sale of 631 Barre Street for \$2,550.00 to Jeremiah D. Havens, and Councillor Stevenson seconded to wit:

RESOLUTION TO APPROVE THE SALE OF TAX PARCEL 48.073-1-34
TO JEREMIAH D. HAVENS

WHEREAS, the Ogdensburg City Council, on February 13, 2017, authorized the public auction of surplus City-owned real property, and

WHEREAS, the City held an auction on March 7, 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>
48.073-1-34	631 Barre Street	\$2,550. (includes survey \$750., Attorney \$450., & SLC recording fee \$350., Lot Price \$1,000.)	None

BE IT FURTHER RESOLVED, that the sale shall be subject to the terms of the February 13, 2017 resolution.

The vote was:

CARRIED, AYES ALL

8. Mayor Ashley moved a resolution to approve the sale of 1411 Lafayette Street for \$16,750.00 to Thomas W. and Margaret Gooshaw, and Councillor Skamperle seconded to wit:

**RESOLUTION TO APPROVE THE SALE OF TAX PARCEL 48.080-4-21.1
TO THOMAS W. AND MARGARET GOOSHAW**

WHEREAS, the Ogdensburg City Council, on February 13, 2017, authorized the public auction of surplus City-owned real property, and

WHEREAS, the City held an auction on March 7, 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>
48.080-4-21.1	1411 Lafayette Street	\$16,750. (includes estimated \$400. Attorney & \$350. SLC recording fee)	None

BE IT FURTHER RESOLVED, that the sale shall be subject to the terms of the February 13, 2017 resolution.

The vote was:

CARRIED, AYES ALL

9. Councillor Morley moved a resolution authorizing the City Manager to request a Comprehensive Review by the New York State Financial Restructuring Board for Local Governments, and to execute any and all documents and instruments necessary to fulfill the City of Ogdensburg's obligations under the Financial Restructuring Board's Comprehensive Review, and Councillor Stevenson seconded to wit:

**RESOLUTION OF THE OGDENSBURG CITY COUNCIL REQUESTING A
COMPREHENSIVE REVIEW BY THE NEW YORK STATE FINANCIAL
RESTRUCTURING BOARD FOR LOCAL GOVERNMENTS**

WHEREAS, the City of Ogdensburg is a Fiscally Eligible Municipality based on the criteria established under the New York State Local Finance Law and qualifies to request a Comprehensive Review by the Financial Restructuring Board for Local Governments; and

WHEREAS, the Ogdensburg City Council understands that the Financial Restructuring Board has the ability to undertake a Comprehensive Review of the City of Ogdensburg's operations, finances and practices;

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NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council hereby requests a Comprehensive Review by the New York State Financial Restructuring Board for Local Governments; and

BE IT FURTHER RESOLVED, that the City Manager is authorized to execute any and all documents and instruments necessary to fulfill the City of Ogdensburg's obligations under the Financial Restructuring Board's Comprehensive Review, and that the City Manager will provide the City Council with copies of any written communications that are received from or provided to the Financial Restructuring Board.

Councillor Stevenson said it is fiscally responsible for the City to seek this advice to put ourselves back on track. Councillor Skamperle asked if the City will be required to follow the board's recommendations. City Manager Sarah Purdy said the City may be eligible for grants or loans from this board. Ms. Purdy explained if we are offered any funding, we would be required to fulfill the recommendations made by the board. Mr. Purdy said at this time she is unsure of what those recommendations would be or how the City could meet the recommendations. Ms. Purdy explained if we do not receive any funding, the recommendations are optional. Ms. Purdy cautioned the report will be made public, and Council would need to find compelling reasons not to follow the recommendations. Ms. Purdy said she will provide a detailed explanation of the impact of the recommendations when available.

Councillor Skamperle asked when the City should expect the board to begin its review. Ms. Purdy said she was able to obtain detailed information about the program during a telephone conference with a staff member of the Division of Budget. Ms. Purdy explained the information required for the application will be gathered over the coming weeks, and the completed application will be submitted in April or May. Ms. Purdy said she will provide Council with a copy of the completed application when available. Ms. Purdy explained she anticipates the board will review all applications at the second Board Meeting in the fall. Ms. Purdy explained approvals should be determined early next spring or in 2019 if our application is not deemed a priority application.

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Councillor Skamperle asked if we will still attempt to reorganize in the meantime, and Ms. Purdy said yes. Ms. Purdy explained she will also be working the St. Lawrence County on some other options. Councillor Skamperle asked if one possibility would be to change the City to a village. Ms. Purdy said that could certainly be a possibility, but it involves many changes. Ms. Purdy explained there may be some advantages to that option, but there may also be other options available. Councillor Skamperle said he does not want us to lose our City status. Councillor Morley said he thought a City received more funding than a village. Ms. Purdy said cities do receive more funding, but villages have fewer expenses. Councillor Morley asked if the board will speak with Council members, department heads and City staff, and Ms. Purdy said yes. Councillor Morley asked if the City will still be permitted to prepare its own budget, and Ms. Purdy said yes.

The vote was:

CARRIED, AYES ALL

10. Councillor Stevenson moved a resolution to adopt a “City of Ogdensburg Title VI Plan”, and Councillor Price seconded to wit:

A RESOLUTION TO ADOPT A CITY OF OGDENSBURG TITLE VI PLAN

WHEREAS, discrimination on the basis of race, color, and national origin is prohibited in programs and activities receiving federal financial assistance by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Federal Aid Highway Act of 1973, Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Executive Order 12898 and Executive Order 13166; and

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WHEREAS, the City has a long-standing policy, embodied in the Ogdensburg Municipal Code (OMC) Chapter 117 and AR-5, that protect persons against discrimination in employment, housing and public accommodations on the basis of race, color, religion, national origin, sex, age, marital status, domestic partnership, disability, familial status, sexual orientation, gender identity and source of income; and

WHEREAS, as a condition of federal grants received by the City, the City must have a “Title VI Plan” to implement the requirements of Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Federal Aid Highway Act of 1973, Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Executive Order 12898 and Executive Order 13166; and

WHEREAS, the City has prepared a plan which provides for the collection of data regarding persons most impacted by City projects; establishes a compliant process for those believed to be discriminated against under the provisions of Title VI; ensures enhanced public outreach of Title VI provisions and procedures; ensures monitoring and compliance of Title VI requirements; and requires annual reports and updates to the Title VI Plan; and

BE IT FURTHER RESOLVED that the “City of Ogdensburg Title VI Plan” includes:

- ◆ ADA Transition Plan
- ◆ LEP Plan
- ◆ Non-discrimination Plan
- ◆ Title VI Assurances
- ◆ Designated Title VI Coordinator and outline of their responsibilities
- ◆ Title VI Complaint Procedure and Complaint Form
- ◆ Public Involvement Plan that includes Public Dissemination of Title VI Information
- ◆ Schedule of Title VI Training

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NOW, THEREFORE, BE IT RESOLVED that the Ogdensburg City Council hereby adopts the attached "City of Ogdensburg Title VI Plan".

Mayor Ashley said the City would not be eligible for federal aid without this plan. Ms. Purdy explained the City Attorney and other municipalities received notification from the New York State Department of Transportation. Ms. Purdy thanked City Clerk Kathleen Bouchard and Deputy City Clerk Cathy Jock for their immediate response and assistance with preparing the plan. Councillor Morley asked if the City already had discrimination policies. Ms. Purdy explained discrimination policies currently exist in our Municipal Code, but a Title VI Plan was required for federal funding.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Stevenson thanked City Assessor Bruce Green for the March 9, 2017 presentation regarding the assessment process. Councillor Stevenson said the presentation was very informative and organized.

NEW BUSINESS

1. Councillor Skamperle said he has thought about Mr. Flavin's comments about the funding for flags in the cemeteries for the veterans. Councillor Skamperle said he hopes all of the clubs will get together and do fundraising to cover the cost of the flags. Councillor Stevenson said Amvets Post 19 is doing a fundraiser walk/run in April and recommended everyone support that event.

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Mayor Ashley said there was a need for Executive Session to discuss personnel, and Councillor Mitchell 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.