

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

CONSENT AGENDA

Mayor Ashley moved that the claims as enumerated in General Fund Warrant #16-2018 in the amount of \$445,147.55 and Library Fund Warrant #16-2018 in the amount of \$22,646.02 and Capital Fund Warrant #16-2018 in the amount of \$8,834.96 and Community Development Fund Warrant #16-2018 in the amount of \$900.00 and Community Renewal Fund Warrant #16-2018 in the amount of \$48.71 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 Sandra Porter to fill the unexpired term of Francine Naccarato on the Pride and Beautification Commission, term to expire December 31, 2019, and Councillor Stevenson seconded the motion.

The vote was:

CARRIED, AYES ALL

2. Mayor Ashley moved to appoint Daniel C. Lowery to a three-year term as an Alternate on the Zoning Board of Appeals, term to expire 12/31/2020, and Councillor Stevenson seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Skamperle made a motion to take an ordinance to sell City-owned property: tax map number 48.071-5-29, 221 Denny Street off the table, and Councillor Stevenson seconded to wit:

ORDINANCE # 16 of 2018
AN ORDINANCE TO OFFER FOR SALE AT PUBLIC AUCTION
CITY-OWNED PROPERTY

BE IT ORDAINED AND ENACTED by the City
Council of the City of Ogdensburg, New York, as follows:

SECTION ONE:

The following properties shall be offered for sale at public auction by the City of Ogdensburg:

<u>TAX MAP #</u>	<u>LOCATION</u>	<u>MINIMUM PURCHASE PRICE</u>	<u>RESTRICTION(S)</u>
48.071-5-29	221 Denny Street	\$3,300 (includes \$400 Attorney fees and \$400 County Filing Fees)	nonconforming lot, SFR

SECTION TWO: The City does not guarantee clear property title in the transfer of properties by auction and conveyance will be made by Quit Claim Deed. The City Council reserves the right to reject any or all bids or to withdraw any parcel from sale.

SECTION THREE: This ordinance shall become effective after public notice has been published at least once each week for three weeks in the official City newspaper.

The vote to take the ordinance off the table was:

CARRIED, AYES ALL

City Manager Sarah Purdy said the property will be condemned. Mayor Ashley made a motion to amend the ordinance to contain certain terms of sale, and Councillor Skamperle seconded the motion.

The vote to amend the ordinance was:

CARRIED, AYES ALL

The amended ordinance now reads:

ORDINANCE #16 of 2018
AN ORDINANCE TO OFFER FOR SALE AT PUBLIC AUCTION
CITY-OWNED PROPERTY

BE IT ORDAINED AND ENACTED by the City Council of the City of Ogdensburg, New York, as follows:

SECTION ONE:

The following properties shall be offered for sale at public auction by the City of Ogdensburg:

<u>TAX MAP #</u>	<u>LOCATION</u>	<u>MINIMUM PURCHASE PRICE</u>	<u>RESTRICTION(S)</u>
48.071-5-29	221 Denny Street	\$3,300 (includes \$400 Attorney fees and \$400 County Filing Fees)	nonconforming lot, SFR structure is condemned

SECTION TWO: The terms of this sale are as follows:

1. The condition of sale is such that the successful buyer will have one (1) calendar year, from the date of purchase, to demolish the structure or bring it back up to New York State Residential Building Code. Structure shall not be lived in during this one (1) calendar year. If the required demolition or rehabilitation of the structure does not take place within this one (1) calendar year, the property will revert back to the City. Buyer will agree to execute all necessary documents in the event the property should revert back to the City of Ogdensburg under the terms indicated here. Said documents shall be held in escrow by City of Ogdensburg for one (1) year from the date of recording.

2. An abstract of title and current survey will not be provided by the City. Each shall be the responsibility of the Buyer if required by the Buyer.

3. The City makes no representations or warranties of any kind as to the property or any structure upon it or to any of the systems on the premises. Buyer shall assume responsibility for and indemnify and hold harmless City from any adverse conditions, environmental or otherwise, including hazardous substances on the premises, following a sale not caused by the City. The Deed shall contain such an indemnification provision.

4. At the time of sale, the property is zoned Single-Family Residential. Any future use of the property shall comply with the provisions of the single-family residential zoning district, per Article III, of Chapter 221 entitled Zoning.

SECTION THREE: The City does not guarantee clear property title in the transfer of properties by auction and conveyance will be made by Quit Claim Deed. The City Council reserves the right to reject any or all bids or to withdraw any parcel from sale.

SECTION FOUR: This ordinance shall become effective after public notice has been published at least once each week for three weeks in the official City newspaper.

The vote on the amended ordinance was:

CARRIED, AYES ALL

2. Councillor Stevenson moved a resolution authorizing the City Manager to sign a non-exclusive Easement Agreement with Hoosier Magnetics, Inc. for the purposes of installing and maintaining a sewer main, two generators, and one transformer along with all necessary wiring, piping and other equipment above and below ground on a parcel of land approximately .19 acres in size that is owned by Hoosier Magnetics, Inc. and is located at 110 Denny Street, Ogdensburg, New York Tax Map ID #48.063-1-6.11, and Councillor Skamperle seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN
AN EASEMENT AGREEMENT

WHEREAS, The City of Ogdensburg has a need to locate a sewer main, generators, transformer and related equipment on property owned by Hoosier Magnetics, Inc. as part of the Waste Water Treatment Plant Capital Project, and

WHEREAS, Hoosier Magnetics, Inc. recognizes this need in furtherance of the municipal purposes of the City of Ogdensburg to provide sanitary sewer and waste water services in the City of Ogdensburg,

NOW, THEREFORE, BE IT RESOLVED, that the City Manager, Sarah Purdy, is hereby authorized to sign a non-exclusive Easement Agreement with Hoosier Magnetics, Inc. for the purposes of installing and maintaining a sewer main, two generators and one transformer along with all necessary wiring, piping and other equipment above and below ground on a parcel of land approximately .19 acres in size that is owned by Hoosier Magnetics, Inc. and is located at 110 Denny Street, Ogdensburg, New York Tax Map ID #48.063-1-6.11.

The vote was:

CARRIED, AYES ALL

3. Councillor Price moved a resolution to approve the sale of surplus property located at Monroe Ave., TMN 59.029-1-11 to Lehigh Cement Company, LLC, and Councillor Stevenson seconded to wit:

RESOLUTION TO APPROVE THE SALE OF SURPLUS CITY PROPERTY

WHEREAS, the City of Ogdensburg has acquired tax map parcel 59.029-1-11, located on Monroe Avenue in accordance with property tax sale foreclosure proceedings; and

WHEREAS, City staff have reviewed the parcel and find no conflict with the proposed sale, having no infrastructure, or known easements of public benefit; and

WHEREAS, sale of this property promotes the return of surplus property to the taxable roll for the greater public benefit in keeping with comprehensive planning goals;

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>
59.029-1-11	Monroe Ave.	\$5,000 (includes \$400 Attorney fees and \$400 County Filing Fees)	nonconforming lot, MDR no frontage on a developed street

To Lehigh Cement Company, LLC, at the price of \$5,000, inclusive of associated attorney fees and filing fees.

BE IT FURTHER RESOLVED, that the sale of said City-owned real property shall be subject to review and approval by the City Attorney.

The vote was:

CARRIED, AYES ALL

4. Mayor Ashley moved a resolution authorizing the City Manager to sign a NYSDOT Undertaking Agreement to allow the 2018 Holiday Light Up the Night Parade route to be designated as State Street, and Councillor Skamperle seconded to wit:

RESOLUTION TO AUTHORIZE THE CITY MANAGER
TO SIGN A NYSDOT UNDERTAKING AGREEMENT

WHEREAS, the New York State Department of Transportation (NYSDOT) requires an Undertaking Agreement to allow the 2018 Holiday Light Up the Night Parade route to be designated as State Street (Route 68), and

NOW, THEREFORE, BE IT RESOLVED that the City Manager, Sarah Purdy, is hereby authorized and directed to sign an Undertaking Agreement with the NYSDOT to allow the 2018 Holiday Light Up the Night Parade route to be designated as State Street (Route 68).

The vote was:

CARRIED, AYES ALL

5. Councillor Kennedy moved a resolution authorizing the City Manager to sign an agreement to extend the Snow and Ice Control Agreement between the City of Ogdensburg and St. Lawrence County, and Councillor Skamperle seconded to wit:

A RESOLUTION AUTHORIZING THE CITY MANAGER
TO SIGN AN AGREEMENT BETWEEN THE CITY OF OGDENSBURG
AND ST. LAWRENCE COUNTY

BE IT RESOLVED, that the City Manager is authorized to sign the attached extended Snow and Ice Control Agreement between the City of Ogdensburg and St. Lawrence County for the 2018-2019 Season.

The vote was:

CARRIED, AYES ALL

6. Mayor Ashley moved a resolution authorizing new fees for Parks & Recreation Department facilities, and Councillor Skamperle seconded to wit:

RESOLUTION ESTABLISHING NEW FEES
FOR PARKS & RECREATION DEPARTMENT FACILITIES

WHEREAS, the City of Ogdensburg operates the Richard G. Lockwood Civic Center and the Municipal Marina for recreation purposes; and

WHEREAS, the Ogdensburg City Council establishes the fees for recreation activities and use of facilities; and

WHEREAS, after a review of rate schedules by the Ogdensburg Recreation Department on Sept. 13, 2018 of the Richard G. Lockwood Civic Center and the City Marina, the Recreation Commission recommends the following increases in fees at city recreation facilities:

RICHARD G. LOCKWOOD CIVIC CENTER (ICE FEES)

Non-Resident youth groups - \$95 per hour (2017 rate was \$90)

Non-resident adult groups - \$105 per hour (2017 rate was \$100)

The Commission recommends that ice fees in the fall of 2019 would increase by \$1.50 for each group and would increase on an annual basis of \$1.50. Below are the recommended ice rates for fall of 2019 at the Lockwood Arena:

- Youth resident groups - \$71.50 per hour
- Youth non-resident groups - \$96.50 per hour
- Adult resident groups - \$81.50 per hour
- Adult non-resident groups - \$106.50 per hour
- Special Events (Birthday Parties) - \$71.50 per hour

The Commission will continue to review rates at the Lockwood Arena on an annual basis.

MUNICIPAL MARINA

At its Sept. 13, 2018 meeting, the Recreation Commission recommended that a non-resident fee structure be instituted for the 2019 marina season with non-residents paying \$3.00 more a foot than City residents. The Commission also recommends that marina fees increase by 75 cents a foot on an annual basis, beginning in the spring of 2019. The proposed changes to the marina fees are as follows (the minimum cost is based on a 21-foot boat):

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- City resident power slip - \$35.75 per foot or \$750.75, whichever is higher
- City resident non-power slip - \$29.75 per foot or \$624.75, whichever is higher
- Non-resident power slip - \$38.75 per foot or \$813.75, whichever is higher
- Non-resident non-power slip - \$32.75 per foot or \$687.75, whichever is higher

The Commission will continue to review rates at the City marina on an annual basis.

Councillor Skamperle said he had asked for the arena rates to increase by \$5.00 per hour for everyone and Councillor Price had asked for an explanation of how the Recreation Commission arrived at the suggested rate increases. Councillor Kennedy said she does not like an increase of \$35.00 per hour to break even, but it was nice to see where we are at. Recreation Director Matthew Curatolo said the Recreation Commission wanted to make the rate increase process less arbitrary and decided on a 2% increase per year. Mr. Curatolo explained although a 2% increase seems minor it produces approximately \$1,000.00 in increased revenue per year. Mr. Curatolo said this policy also gives the not-for-profit groups time to plan and do fundraising. Councillor Skamperle said he doesn't think a \$5.00 per hour increase for everyone is arbitrary and asked if the suggested \$1.50 per hour increase would cover employee pay raises. Councillor Skamperle said he understands these are services for the community, and the City can't always break even on these types of services. Councillor Skamperle said Council should get to vote on rate increases every year instead of being bound to a 2% increase.

Mr. Curatolo explained the Recreation Commission is hoping to bridge the gap by increasing rentals instead of increasing fees. Mr. Curatolo said usage is increasing every year. Councillor Kennedy asked what the ideal number of rental hours would be for a year. Mr. Curatolo said 652 hours were rented in 2017 so 700 hours for 2018 would be a good increase. Councillor Shaver asked if rentals are hourly, and Mr. Curatolo said yes. City Manager Sarah Purdy asked how many workers are on duty, and Mr. Curatolo said one. Mr. Curatolo explained two workers may be brought in for big events, and there are two people working during open skating.

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Mayor Ashley asked how the solar bill could offset expenses at the arena. Ms. Purdy said that issue was discussed last Fall when it was discovered the credits were going to the wastewater treatment plant only. Ms. Purdy explained if rates are increased too much, usage will decrease. Ms. Purdy said we need to remember our facility does not have some amenities that other arenas offer, and we need to be careful increasing our rates. Councillor Shaver asked if the City is in line with what the school charges. Mr. Curatolo explained the school charges \$68.00 per hour while we charge \$70 per hour. Mr. Curatolo said people prefer the dome because there is heat and a concession stand. Councillor Price said he is concerned with the 2% clause without knowing increases in expenditures. Mr. Curatolo said the resolution includes a clause that the Recreation Commission will review the rate increases every year. Councillor Stevenson asked if the Recreation Commission could recommend a larger increase, and Mr. Curatolo said yes. Councillor Stevenson said the Recreation Commission and Mr. Curatolo spent a lot of time reviewing this topic, and she intends to support the resolution. Mayor Ashley agreed. Councillor Price asked if the policy would stay this way until Council changes it if the resolution is approved. Mr. Curatolo said yes, and the Recreation Commission will bring recommendations to Council every year. Councillor Price noted the paragraph in the resolution citing the Recreation Commission's recommendations for ice rental fee increases at the arena should specify "\$1.50 per hour per group".

The vote was:

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

NAYS: Councillor Skamperle

CARRIED, 6 TO 1

ITEMS FOR DISCUSSION

1. Councillor Davis said the water level is very low making it difficult to get in and out of boats at the boat launch. Councillor Davis said he knows the City has no control over it, but he just wanted the conditions noted. Councillor Skamperle asked if the City received grant money for a new floating dock, and City Manager Sarah Purdy said yes.

2. Councillor Skamperle said he receives complaints every day regarding the brush pickup violation letters. Councillor Skamperle asked if anyone has been charged for the City picking up their brush yet. City Manager Sarah Purdy said yes. Ms. Purdy said the violators are pretty much the same group of property owners, but most people call DPW or her office when they receive a letter. Ms. Purdy explained the plan is to send a more specific notice with tax bills next year. Ms. Purdy said she anticipates more people will be used to the policy by next year. Ms. Purdy said she is looking at a proposal to add an additional position to help with the confusion, and Council may see that line item in the budget.

Councillor Skamperle asked when the Fall brush pickup begins. Public Works Director Scott Thornhill said material can be placed out after October 15, 2018. Mr. Thornhill explained the high winds this past weekend resulted in lots of calls for downed branches. Mr. Thornhill said his staff has been specifically instructed not to look at any new violations, only those already in the cue for pending violations. Mr. Thornhill said next year October 1st will be a more realistic Fall pickup start date.

3. Councillor Shaver thanked Mr. Thornhill and his staff for their work on the recent water main break on Main Street and said the photos seemed to show a lot of rot. Mr. Thornhill said it is corrosion. Mr. Thornhill explained the soil is acidic in that area and clamping in the past can cause deficiencies in the pipes resulting in corrosion.

4. Councillor Shaver thanked the Police and Fire departments for their hard work with all of the recent activity in the City. Councillor Shaver urged Council to support those departments at budget time.

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