

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

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

ABSENT: Councillor Stevenson

Mayor Ashley said Councillor Stevenson asked to be excused because she is out of town. There was a consensus of Council to excuse Councillor Stevenson.

#### CORRESPONDENCE

1. City Clerk Cathy Jock read a letter from Rhonda Roethel requesting permission for the 2019 Ogdensburg Light Up the Night/Santa Parade to be held on November 23, 2019. (A copy of the letter follows these minutes.)

#### CONSENT AGENDA

Mayor Ashley moved that the claims as enumerated in General Fund Warrant #16-2019 in the amount of \$1,034,980.88 and Library Fund Warrant #16-2019 in the amount of \$27,695.58 and Capital Fund Warrant #16-2019 in the amount of \$8,466.85 and Community Development Fund Warrant #16-2019 in the amount of \$874.00 and Community Renewal Fund Warrant #16-2019 in the amount of \$10,500.00 as audited, be and the same are ordered paid and Councillor Price seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Price moved a resolution authorizing the City Manager to sign an agreement with Milton CAT for a Hitchdoc HDS9200, 108” hydraulic snow thrower, and Councillor Skamperle seconded to wit:

RESOLUTION

WHEREAS, the laws of the State of New York (the “State”) authorize the CITY OF OGDENSBURG NY (the “Government Entity”), a duly organized political subdivision, municipal corporation or similar public entity of the State, to purchase, acquire and lease personal property for the benefit of the City of Ogdensburg and its inhabitants and to enter into any necessary contracts; and

WHEREAS, the City of Ogdensburg wants to lease, purchase and/or finance equipment (“Equipment”) from Milton CAT and/or an authorized Milton CAT dealer (“Milton CAT”) by entering into that certain Governmental Equipment Lease-Purchase Agreement (the “Agreement”) with Milton CAT; and

WHEREAS, the form of the Agreement has been presented to the governing body of the City of Ogdensburg at this meeting; and

RESOLVED, that (i) the Agreement, including all schedules and exhibits attached to the Agreement, is approved in substantially the form presented at the meeting, with any Approved Changes (as defined below), (ii) the City of Ogdensburg enter into the Agreement with Milton CAT and (iii) the Agreement is adopted as a binding obligation of the City of Ogdensburg; and

RESOLVED, that changes may later be made to the Agreement if the changes are approved by the City of Ogdensburg’s counsel or members of the governing body of the City of Ogdensburg signing the Agreement (the “approved Changes”) and that the signing of the Agreement and any related documents is conclusive evidence of the approval of the changes; and

RESOLVED, that the person listed below, who is the incumbent officer of the City of Ogdensburg (the “Authorized Persons”):

Sarah Purdy, City Manager

RESOLVED, that City Manager Sarah Purdy is authorized, directed and empowered, on behalf of the City of Ogdensburg, to (i) sign and deliver to Milton CAT, and its successors and assigns, the Agreement and any related documents, and (ii) take or cause to be taken all actions she deems necessary or advisable to acquire the Equipment, including the signing and delivery of the Agreement and related documents; and

WHEREAS, the Clerk of the City of Ogdensburg is authorized to attest to these resolutions and affix the seal of the City of Ogdensburg to the Agreement, these resolutions, and any other related documents; and

WHEREAS, that nothing in these resolutions, the Agreement or any other document imposes a pecuniary liability or charge upon the general credit of the City of Ogdensburg or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the City of Ogdensburg as provided in the Agreement; and

WHEREAS, that a breach of these resolutions, the Agreement or any related document will not impose any pecuniary liability upon the City of Ogdensburg or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the City of Ogdensburg as provided in the Agreement; and

BE IT RESOLVED, that the authority granted by this resolution will apply equally and with the same effect to the successors in the office of the City Manager; and

BE IT FURTHER RESOLVED that the funds to pay for this project will be from A5110.330.

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City Comptroller Timothy Johnson said it is recommended the City allocate the funds received for the Extreme Weather Aid this year rather than encumbering the funds until next year. Mr. Johnson explained Public Works Director Shane Brown identified a 35 year old snow blower that could be replaced with the funds. Mr. Johnson said this piece of equipment cannot be put into the lease program, and it is a Piggyback bid. Mr. Johnson said it is an allowable expense under the funding, and he believes it is the best way for the City to use the funds.

Public Works Director Shane Brown said the snow thrower attaches to a loader. Mayor Ashley asked if it is used to cut down the snow banks, and Mr. Brown said yes and added it will be a lot quieter than the snow thrower currently used. Councillor Skamperle asked if the snow thrower will be able to be used on Paterson Street, and Mr. Brown said yes and added it can be used during the daytime too. Councillor Skamperle asked if the cost of the new snow thrower is less than the funds awarded, and Mr. Johnson said yes.

Mr. Johnson noted the Fleet Management Lease Program discussed at the last Council meeting was a Piggyback bid as well so solicitation of bids is not required.

The vote was:

CARRIED, AYES ALL

2. Councillor Skamperle 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 Price 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 2019-2020 Season.

City Manager Sarah Purdy said the City has been renewing this agreement with the County since 1982. Ms. Purdy explained the County enters into this agreement for the maintenance of County owned roads that are easier for the City to access. Councillor Kennedy asked what roads are covered by the agreement. Public Works Director Shane Brown said State Street, Route 68 and Route 812 towards Heuvelton to the NAPA store.

The vote was:

CARRIED, AYES ALL

3. Councillor Kennedy moved a resolution to establish the standard work days for elected and appointed City of Ogdensburg officials and reports the days worked to the New York State and Local Retirement System, and Councillor Skamperle seconded to wit:

STANDARD WORK DAY AND REPORTING RESOLUTION  
FOR ELECTED AND APPOINTED OFFICIALS

BE IT RESOLVED, that the City of Ogdensburg, Location Code #20038, hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

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Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (check Only if Member is in Tier 1)	Current Term Begin & End Dates	Record of Activities Result	Not Submitted (Check only if official did not submit the Record of Activities)
City Councillor	6	Michael B. Powers	----	----- -----		03/25/19- 12/31/19	4.39	<input type="checkbox"/>

THEREFORE, BE IT FURTHER RESOLVED, that the Ogdensburg City Council hereby approves that the ROAs (Record of Activities) submitted reflect the duties of the respective positions, and updating and establishing the standard work days set forth thereon.

BE IT FURTHER RESOLVED, that the days worked indicated thereon be reported to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by this official to the City.

BE IT FURTHER RESOLVED, that the Clerk of the City shall post the Resolution on the City website for thirty (30) days after its adoption, distribute this resolution to the subject City officials, and file a certified copy of this Resolution with the Office of the New York State and Local Retirement System, Pension Integrity Bureau, within forty-five (45) days of its adoption.

The vote was:

CARRIED, AYES ALL

### OLD BUSINESS

1. Councillor Skamperle said the City had found a buyer for the old Newell's property but then the State found the contamination. Councillor Skamperle asked if the water contamination is still an issue or if it will be addressed with the recently discussed grant funding for that property. Director of Planning and Development Andrea Smith said additional testing will be done at the request of New York State Department of Environmental Conservation. Ms. Smith explained Atlantic Testing is doing a site management plan, and DEC will review it and make a determination. Ms. Smith said we are making progress and using funding through the grant.

Ms. Smith said the City or St. Lawrence County Industrial Development Agency may wish to address the truck entrance to the property, noting it ideally should be Railroad Street and Denny Street. Ms. Smith explained that is the location of the contamination, but DEC has not yet required excavation.

2. Councillor Davis said he was notified there is a strong odor of sewer gas in the area of Pleasant Avenue, Jay Street and Paterson Street and asked for the valves to be checked. Public Works Director Shane Brown said the odor of gas was originally at the intersection of Paterson Street and Lafayette Street and addressing it at that location seems to have just forced the smell around. Mr. Brown explained the new valve arrived today for Covington Street and will be tested before being installed. Mr. Brown said if the new valve takes care of the problem in that area, we will purchase more for other areas of the City as needed.

### NEW BUSINESS

1. Mayor Ashley asked that a resolution be prepared for the next Council meeting for the 2019 Light Up the Night/Santa Parade to be held.

2. Councillor Kennedy suggested City vehicles from DPW and other departments participate in the Trunk-or-Treat event scheduled for October 19, 2019 at Ogdensburg Free Academy. City Manager Sarah Purdy said she will discuss the event with staff.

ITEMS FOR DISCUSSION

1. Councillor Skamperle said he and Councillor Powers asked for Zoning code changes when they first became members of City Council, but nothing happened until the current Director of Planning and Development came on board. Councillor Skamperle said three open house meetings were held, and many local business people were personally invited. Councillor Skamperle suggested another open house meeting and noted the proposed Zoning code is currently posted on the City website. City Manager Sarah Purdy said the proposed changes are still under review and said although there were good questions asked at the open house meetings, those meetings were not well attended.

2. Councillor Kennedy said she is hearing the public is not being educated well and asked for suggestions on how the City can better educate citizens. Councillor Kennedy explained it would be helpful to keep the information on a continuous roll with updates on long term and short term projects.

City Manager Sarah Purdy said she will have staff research what other municipalities are doing to keep their citizens informed and update Council. Councillor Skamperle said the public updates are full of information. Councillor Kennedy said some people do not know where to find the update. Ms. Purdy noted if the City uses social media as an avenue to share information, the records must be maintained permanently. Councillor Powers said there is a great deal of information that isn't getting out to the people and suggested public forums be held. Ms. Purdy said the press receives the public updates. Councillor Kennedy said perhaps people could pick up a printed copy of the public update at City Hall. Ms. Purdy said the City website is currently being redesigned and will be much easier to navigate. Councillor Kennedy asked if the City could develop an App, and Ms. Purdy said she will research that option also. Mayor Ashley noted Council never eliminated the recording of meetings from the budget. Mayor Ashley explained Mr. Ladouceur became sick and was no longer able to perform that service. Mayor Ashley said he personally talked with school officials to have students film the meetings, but the school said that option was not feasible.



3. Councillor Price said he witnessed a motor vehicle accident in Utica on Sunday, and it took the first police officer seven minutes to arrive on the scene. Councillor Price said the fire and ambulance personnel arrived another five minutes later. Councillor Price noted our police and fire personnel are on scene in less than four minutes and added they are top notch.

4. Councillor Davis suggested an open discussion regarding off-street parking and clarification of where people can and cannot park. City Manager Sarah Purdy said if a property doesn't conform with the current Zoning section of the Municipal Code, the owner can apply for site plan review and request a waiver from the Planning Board or seek a variance with the Zoning Board. Ms. Purdy explained if the property has been vacant for 18 months or more, any previously approved variance or waiver would be expired. Ms. Purdy said many business owners have gone through this process.

Councillor Kennedy asked how long the process takes. Director of Planning and Development Andrea Smith said the Planning Board and Zoning Board both meet monthly. Ms. Smith said there are deadlines for submission of applications so the boards have time to review the documentation prior to the meeting. Ms. Smith added a special meeting could also be scheduled if needed and noted a variance requires the publication of a legal notice. Ms. Smith added that typically, waivers or variances are reviewed within 30 days, plus or minus depending on the Board. Councillor Powers asked if those meetings are open to the public, and Ms. Smith said yes. Ms. Smith noted parking waivers are typically approved at the meeting. Ms. Smith provided Council with a memorandum regarding off-street parking. (A copy of her memorandum follows these minutes.)

Mayor Ashley said there was a need for Executive Session to discuss collective negotiations pursuant to Article 14 of the Civil Service Law, 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.

September 10, 2019

Dear Mayor Ashley and City Councillors,

The Committee organizing the 2019 Ogdensburg Light Up the Night/Santa Parade would like to request your permission to hold the parade on Saturday, November 23, 2019 at 6:00 p.m.

The parade will start at the Ogdensburg Free Academy School on State Street and proceed to the Dobisky Community Center.

We also request your permission to allow children to visit with Santa inside the Dobisky Community Center after the parade.

Thank you in advance for your support.


Sincerely,

A handwritten signature in black ink, appearing to read 'Rhonda Roethel', written in a cursive style.

Rhonda Roethel  
Committee Chairperson

# MEMORANDUM

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**TO:** Sarah Purdy, City Manager  
**CC:** Mayor and Council  
**FROM:** Andrea Smith, AICP   
Director of Planning and Development  
**DATE:** September 23, 2019  
**SUBJECT:** Off-Street Parking: §221-51 G

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The Ogdensburg Municipal Code, Chapter 221 entitled Zoning “is designed to serve the general purposes of promoting public health, safety and welfare in accordance with the community plan for the development and growth of Ogdensburg”. Specifically, **§221-51 Off-Street Parking and Loading** establishes standards for providing adequate off-street parking and loading of motor vehicles in an orderly and efficient manner that retains the function of the road network and protects the health, safety and general welfare of the public.

**Section G** prescribes the standards for off-street parking based the use, number of employees, or square footage; it also describes the process under which these standards may be waived:

**G:** “Off-street parking standards. *Unless specifically waived by the Planning Board under the site plan review, the Zoning Board of Appeals through an area variance or the City Council under the Planned Development District review*, the following minimum standards shall apply for each type of use set forth below. The Planning Board may require a greater number of parking or loading spaces if it is warranted by the nature and scale of a proposed use.”

Since 2011, when I began employment with the City, the Planning Board has granted the following waivers of parking through site plan review:

January 9, 2018	422-424 Ford Street Waiver of 7 parking spaces provided (4 residential & 3 retail)
July 2, 2018	50-52 River Street Waiver of 18 parking spaces for JCC Marine
August 2, 2017	302 Ford Street Waiver of 5 parking space for Cam’s Pizzeria
October 20, 2017	103 Ford Street Waiver of 18 parking spaces for Northwoods Furniture
January 14, 2016	102 Ford Street

Waiver of 43 parking spaces and 3 handicap spaces for North Country Health Clinic

- April 5, 2016      231 Lake Street  
Waiver of 8 parking spaces for TLS
- April 5, 2016      11 Rensselaer Ave  
Waiver of 55 parking spaces for TLS
- May 6, 2014      1409 Ford Street  
Preliminary Site Plan Approval for purchase offer  
Waiver of parking, Tammy Amo
- May 7, 2013      110-113 Lake Street  
Waiver of Parking for Club 1812  
Applicant provided 11 and 1 Handicap parking space; all other parking waived.

Additional relief of the off-street parking ordinance has been provided through the Zoning Board of Appeals through the area variance process. This is more limited, but will be provided in a subsequent memo.

CC: FILE