

SPECIAL CITY COUNCIL MEETING

January 6, 2020

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

PRESENT: Mayor Skelly, Councillors Dillabough, Fisher,
Kennedy, Rishe and Skamperle

ABSENT: Councillor Powers

Mayor Skelly said Councillor Powers asked to be excused because he was unable to change his work schedule. There was a consensus of Council to excuse Councillor Powers.

ITEMS FOR COUNCIL ACTION

1. Mayor Skelly moved a resolution appointing a Deputy Mayor for the City of Ogdensburg for 2020-2021, and Councillor Dillabough seconded to wit:

RESOLUTION APPOINTING
A DEPUTY MAYOR FOR 2020 AND 2021

WHEREAS, the Ogdensburg City Charter provides that a Deputy Mayor is to be elected from the City Council members at the first Council meeting in January of even-numbered years,

NOW, THEREFORE, BE IT RESOLVED, that Councillor Rishe is hereby elected Deputy Mayor of the Ogdensburg City Council for 2020 and 2021.

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The vote was:

AYES: Mayor Skelly, Councillors Dillabough,
Fisher, Rische and Skamperle

NAYS: Councillor Kennedy

CARRIED, 5 TO 1

2. Councillor Rische moved a resolution establishing new procedures for the introduction of resolutions, local laws and ordinances to come before the Ogdensburg City Council, and Councillor Fisher seconded to wit:

A RESOLUTION ESTABLISHING NEW PROCEDURES FOR THE
INTRODUCTION OF RESOLUTIONS, LOCAL LAWS AND ORDINANCES
TO COME BEFORE THE OGDENSBURG CITY COUNCIL

WHEREAS, the City Council shall determine its own rules and order of business for its meeting as per Section C-16 of the City Charter; and

WHEREAS, the City Council is desirous of establishing new rules governing the introduction of resolutions, local laws, ordinances and other matters to come before the Council,

NOW, THEREFORE, BE IT RESOLVED, that all matters to come before the City Council for consideration shall be read by the appropriate Department Head, City Clerk or City Manager; and

BE IT FURTHER RESOLVED, that said staff person shall also provide an explanation of the proposed resolution, local law or ordinance, including its budgetary impact; and

BE IT FURTHER RESOLVED, upon completion of the presentation, the Mayor or a Councillor may introduce the proposed resolution, local law or ordinance for consideration, by making a motion for its consideration; and

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BE IT FURTHER RESOLVED, that the City Manager may prepare a proposed amendment to the Administrative Regulations of the City of Ogdensburg to incorporate and formalize these new procedures.

Councillor Skamperle said he will not support the resolution. Councillor Skamperle explained Council was elected to introduce the laws they propose. Councillor Skamperle said §AR-17(B)2.13 of the Administrative Regulations mandates that the policy-making business is to be conducted by the elected officials. Councillor Rishe said §C-16 of the Charter states Council shall determine its own rules and is able to amend the procedures. Councillor Rishe said Council was elected to vote. Councillor Kennedy agreed with Councillor Skamperle and said she believes if she supports what is being proposed, she should read it aloud. Councillor Fisher said the proposed resolution states that upon the completion of the reading by the Department Head, City Clerk or City Manager, Council may introduce the matter. Councillor Fisher explained the matter would still be coming back to Council.

The vote was:

AYES: Mayor Skelly, Councillors Dillabough,
Fisher and Rishe

NAYS: Councillors Kennedy and Skamperle

CARRIED, 4 TO 2

3. Councillor Fisher moved a resolution to implement a hiring freeze for the City of Ogdensburg, and Councillor Rishe seconded to wit:

A RESOLUTION TO IMPLEMENT A HIRING FREEZE
FOR THE CITY OF OGDENSBURG

WHEREAS, the City of Ogdensburg has the highest tax rate of all communities in New York's North Country, and one of the highest tax rates out of all 62 cities in New York State; and

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WHEREAS, the City of Ogdensburg is precariously close to reaching its constitutional tax limit as specified in the New York State Constitution,

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council hereby eliminates all funding for current and future unfilled positions in the 2020 budget, thereby implementing a hiring freeze, and

BE IT FURTHER RESOLVED, that the City Manager shall not fill any current or future vacant positions in the 2020 budget nor any newly proposed positions, and

BE IT FURTHER RESOLVED, that any contractually obligated current and future unfilled positions shall not be filled without bringing a resolution to fill such position to the City Council for consideration.

Councillor Skamperle said Council is out of their lane with this resolution, and a review of the Charter shows the City Manager has all administrative duties. Councillor Skamperle explained this would be an interference with her duties. Councillor Skamperle said he agrees with reducing taxes but cautioned against the economic impact of overtime and public safety. Councillor Skamperle explained in the past Council has discussed a hiring freeze with the City Manager, and the City Manager provided Council with an analysis. Councillor Skamperle said the fire department just lost four positions in the 2020 budget, and he is certain the Fire Chief is upset. Councillor Skamperle said more insight is needed and said Council should hold off on implementing a hiring freeze. Mayor Skelly said the request is being made for the incoming members of Council to have some time to become familiar with how things work.

Councillor Kennedy questioned if the pool would be open or if City recreation programs would be eliminated. Councillor Kennedy said people often speak of the quality of life in the City and questioned how the marina would be staffed or Parks and Recreation and DPW would be able to keep up with mowing. Mayor Skelly said the proposed hiring freeze is not intended to last forever and said the summer positions could be considered in the future.

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Councillor Kennedy said the resolution does not state it is temporary and does not provide an end date. Councillor Kennedy said once approved, there is no guarantee it will be reversed. Mayor Skelly said the matter can be revisited. Councillor Kennedy said she will only support the resolution if wording is included to indicate it is a temporary measure. Councillor Dillabough suggested wording be included to implement the hiring freeze through April 1st. Councillor Rische disagreed. Mayor Skelly said the matter will be revisited after the four new members of Council learn more. City Manager Sarah Purdy explained there are questions regarding the Fire Chief position and how to operate our fire department without a Fire Chief. Ms. Purdy questioned if the hiring freeze would also apply to the Remington and the Library, noting the Remington has just opened their search for a new Director.

Councillor Fisher said the last paragraph of the proposed resolution indicates when contractually obligated current and future unfilled positions need to be considered, a resolution can be brought before Council. Ms. Purdy said she anticipates bringing something before Council soon regarding the Fire Chief and the Remington Director.

Councillor Kennedy said she just received the proposed resolution on Friday and would like more time to conduct research to be able to make an educated vote. Councillor Rische said Council had plenty of time to review it.

Councillor Kennedy made a motion to table the resolution, and Councillor Skamperle seconded the motion.

The vote to table to resolution was:

AYES: Councillors Kennedy and Skamperle

NAYS: Mayor Skelly, Councillors Dillabough,
Fisher and Rische

DEFEATED, 2 TO 4

The vote on the resolution was:

AYES: Mayor Skelly, Councillors Dillabough,
Fisher and Rishe

NAYS: Councillors Kennedy and Skamperle

CARRIED, 4 TO 2

4. Councillor Dillabough moved a resolution directing the City Manager to prepare a 5 year projection of tax rates, and Councillor Rishe seconded to wit:

A RESOLUTION DIRECTING THE CITY MANAGER TO PREPARE A 5
YEAR PROJECTION OF TAX RATES

WHEREAS, the City of Ogdensburg's tax rate is one of the highest tax rates out of all 62 cities in New York State and no strategy has been developed to address this problem, and

WHEREAS, the City of Ogdensburg is precariously close to reaching its constitutional tax limit as specified in the New York State Constitution,

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council hereby directs the City Manager, with the assistance of the City Comptroller, to prepare the following:

1. A 5 year budget projection, beginning in 2021 and ending in 2025, that estimates future tax rates based on current staffing levels; adopted contracts; anticipated increases in health insurance costs; overtime projections that are based on historical data; anticipated capital needs; zero increases in real property assessments; zero increases in sales tax collections; and any and all other data that is typically used in the annual preparation of the city's budget; and

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BE IT FURTHER RESOLVED, that the City Manager shall deliver and present these tax rate and budget projections to the Ogdensburg City Council at its January 27, 2020 regularly scheduled meeting.

Councillor Skamperle said it takes months to prepare a budget for just one year and questioned if it was even possible to do a five year projection in the time period given. Councillor Skamperle said the request is for a projection in expenses without a projection in revenue. Councillor Skamperle explained the City Assessor has been tasked with creating a level playing field so there will be assessment increases. Councillor Skamperle said the projection will provide meaningless information if only the increase in expenses will be reviewed and not the revenue. Councillor Rishe said it is important to get projections on where we are going. Councillor Rishe explained the current situation is not sustainable, and over the past four years there have been tax rate increases every year except this year. Councillor Rishe said health insurance and contract costs are increasing, and overtime is going up. Councillor Rishe said he is not in favor of assessment increases, and the sales tax is flat and threatened to be reduced by the County. Councillor Rishe said the purpose is to see what it looks like, not vote on it. Councillor Skamperle questioned why we would want to look at increased expenses without seeing the revenue increase as well. Councillor Rishe questioned what revenue will increase, and Councillor Skamperle said assessments.

Mayor Skelly said when they met with Ms. Purdy she did not say she was unable to do it. Councillor Skamperle asked Ms. Purdy if it was even possible, and Ms. Purdy said she will do her best. Councillor Skamperle suggested the five year comprehensive plan might be more in line to what is being requested and noted he is worried Ms. Purdy will be held to the deadline. Councillor Rishe asked when a five year plan was last developed and suggested Director of Planning and Development Andrea Smith might know. Ms. Smith said she was unclear what document was being discussed by Council but explained the comprehensive planning document does not refer to the budget. Ms. Smith said it refers to housing needs, as well as a community vision and goals for waterfront development.

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Ms. Smith said the Local Waterfront Revitalization Plan (LWRP) does not specifically address capital needs associated with water and sewer. Ms. Smith explained the City uses the LWRP for the City wide plan, and she is not aware of the City ever having a comprehensive planning document in addition. Ms. Smith said the LWRP was last adopted in 1986, was updated in 2011 and is currently pending approval. Ms. Smith explained it is imperative to maintain our status to be eligible for grants and noted not all cities are eligible. Ms. Smith said Federal and State entities like the Ogdensburg Bridge and Port Authority do not have to follow our zoning regulations but are obligated to comply with the vision outlined in the LWRP. Councillor Rishe said the LWRP lacks merit or value. Ms. Smith said the LWRP has immense value to the City. Mayor Skelly said the projection may be far reaching, but if the City Manager is willing to give it her best shot we should let her. Councillor Kennedy questioned the number of hours required to complete the request, and Ms. Purdy said she would prefer not to address that. Councillor Skamperle stated the projection will not provide realistic data. Mayor Skelly said it will show wage increases due to contracts and health insurance cost trends. Mayor Skelly said the figures will provide insight into the amount of revenue required.

The vote was:

AYES: Mayor Skelly, Councillors Dillabough,
Fisher, Rishe and Skamperle

NAYS: Councillor Kennedy

CARRIED, 5 TO 1

5. Councillor Rishe moved a resolution directing the City Manager to prepare a 5 year projection of water and sewer rates, and Councillor Fisher seconded to wit:

A RESOLUTION DIRECTING THE CITY MANAGER TO PREPARE A 5
YEAR PROJECTION OF WATER AND SEWER RATES

WHEREAS, the City of Ogdensburg has entered into contracts for a \$35.9 million expansion of its wastewater treatment plant that will result in significantly higher rates for its citizens; and

WHEREAS, these contracts will likely increase depending on additional work that may be required; and

WHEREAS, additional capital costs are anticipated for the water treatment plant and its facilities;

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council hereby directs the City Manager, with the assistance of the City Comptroller, to prepare the following:

1. A 5 year budget projection, beginning in 2021 and ending in 2025, that estimates future sewer rates based on all current and anticipated capital costs; engineering costs; legal costs; financing costs; current staffing levels; adopted contracts; outside user fee estimates; and any and all other data that is typically used in the annual preparation of the sewer fund budget; and
2. A 5 year budget projection, beginning in 2021 and ending in 2025, that estimates future water rates based on all current and anticipated capital costs; engineering costs; legal costs; financing costs; current staffing levels; adopted contracts; outside user fee estimates; and any and all other data that is typically used in the annual preparation of the water fund budget; and

BE IT FURTHER RESOLVED, that the City Manager shall deliver and present these sewer and water rate budget projections to the Ogdensburg City Council at its January 27, 2020 regularly scheduled meeting.

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Mayor Skelly said he believes City Manager Sarah Purdy may have already worked on some of the information being requested with respect to the Wastewater Treatment Plant Improvement Project. Ms. Purdy said some of the debt information would have already been collected. Councillor Kennedy asked if there is any projection on the impact of the agreement with the Village of Heuvelton. Ms. Purdy said a check in an amount just under \$500,000 was received today and added there is a fine line between projection and speculation. Mayor Skelly asked if it is possible to complete the request. Ms. Purdy said she is unsure and does not want to speculate.

Councillor Rishe said the information should have been provided prior to the project being approved. Mayor Skelly questioned if the Development Authority of the North Country (DANC) could assist with the data. Ms. Purdy cautioned there would be a lot of assumptions and speculations in these reports and noted the City does not fund capital needs. Ms. Purdy questioned if the assumption should be made to include capital needs for buildings, etc. which are still not being done and/or for the Water Filtration Plant Project and Wastewater Treatment Plant Improvement Project. Councillor Rishe questioned if DANC is already working on the Water Filtration Plant Project. Ms. Purdy said very little work has been done, but a draft preliminary engineering report has been developed. Ms. Purdy explained it is in draft because it was put on the back burner because of the amount of required review with an outgoing Council. Mayor Skelly asked for the projections to be completed without considering the Water Filtration Plant Project. Councillor Skamperle said the Wastewater Treatment Plant is in crisis mode. Councillor Skamperle explained if the chlorine tanks were to leak, everyone within three miles would be dead. Councillor Skamperle said the plant is being turned into a revenue generator and suggested a water district could also be created. Mayor Skelly said if the plant is in such a crisis, the project shouldn't have been delayed, and Ms. Purdy agreed.

The vote was:

CARRIED, AYES ALL

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Mayor Skelly said there was a need for Executive Session to discuss current litigation and he needed to recuse himself.

Councillor Kennedy questioned the necessity of Executive Session since the topic of discussion was already in the public light. Mayor Skelly said he believed there was a need for the Executive Session because he is concerned about a conflict of interest. Councillor Kennedy questioned why the details of the Executive Session were released and said the purpose of an Executive Session is for Council to discuss the matter in private. Councillor Rishe said Mayor Skelly is new and made a mistake because he was trying to be honest.

Councillor Kennedy said she prefers the information concerning Executive Sessions be kept confidential. Mayor Skelly said he just wants to be transparent. Councillor Kennedy said stating the purpose for Executive Session is sufficient.

Councillor Rishe made a motion to adjourn to Executive Session, and Councillor Dillabough seconded the motion. Councillor Skamperle asked that City Attorney Andy Silver join the Executive Session. There was a consensus of Council for City Attorney Andy Silver to be included.

The vote to adjourn to Executive Session was:

CARRIED, AYES ALL

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