

CITY COUNCIL MEETING
January 13, 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, Powers, Rishe and Skamperle

ABSENT: None

PUBLIC HEARING

1. A public hearing regarding an ordinance authorizing the City Manager to enter into the necessary agreements to lease approximately 1,190 square feet of office space located at 330 Ford Street (basement) for the Satellite Office of Senator Patricia Ritchie was held. No one being present to speak, the hearing was declared closed.

CONSENT AGENDA

Mayor Skelly moved that the claims as enumerated in General Fund Warrant #01-2020 in the amount of \$1,747,243.05 and Library Fund Warrant #01-2020 in the amount of \$45,860.26 and Capital Fund Warrant #01-2020 in the amount of \$25,146.75 and Community Development Fund Warrant #01-2020 in the amount of \$22,185.16 and Community Renewal Fund Warrant #01-2020 in the amount of \$32,999.20 as audited, be and the same are ordered paid and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

APPOINTMENTS

1. Mayor Skelly moved to appoint Councillor Dillabough, Councillor Fisher and Councillor Rishe to a one year term on the Executive Compensation Board, terms to begin January 13, 2020 and end December 31, 2020, and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

2. Mayor Skelly moved to appoint Councillor Fisher to fill the balance of the unexpired term of Shawn Shaver on the Audit Committee, term to begin January 13, 2020 and end December 31, 2020, and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

3. Mayor Skelly moved to appoint Councillor Rishe to fill the unexpired term of Jennifer Stevenson on the Audit Committee, term to begin January 13, 2020 and end December 31, 2020, and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Rishe moved an ordinance authorizing the City Manager to enter into the necessary agreements to lease approximately 1,190 square feet of office space located at 330 Ford Street (basement) for the Satellite Office of Senator Patricia Ritchie, and Councillor Kennedy seconded to wit:

ORDINANCE #1 OF 2020
AN ORDINANCE TO AUTHORIZE A LEASE OF MUNICIPAL
PROPERTY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
OGDENSBURG, NEW YORK, AS FOLLOWS:

ITEM ONE: An ordinance to authorize a lease of municipal property at 330 Ford Street (Basement) for the Satellite Office of Senator Patricia Ritchie.

ITEM TWO: The City Manager has presented the attached proposed agreement to lease space at 330 Ford Street. The lease term shall be from January 1, 2019 through December 31, 2020, with an option to renew, unless either party provides prior written notice to the other of its intention not to renew.

ITEM THREE: The City Manager is hereby authorized to execute the attached lease agreement, hereby made part of this ordinance.

ITEM FOUR: Passage of this ordinance shall be by a vote of three-fourths (3/4) of all members of the City Council.

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

Councillor Kennedy asked if the rental amount is the same as the last agreement. City Manager Sarah Purdy said the rental amount increased in 2018 and is the same amount for this agreement. Councillor Skamperle said it is nice to have a Senator at City Hall, and Councillor Powers agreed.

The vote was:

CARRIED, AYES ALL

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Councillor Skamperle called a point of order regarding a resolution approved by Council at the January 6, 2020 Special Council Meeting. Councillor Skamperle said he believes the change would require a public hearing. City Manager Sarah Purdy said the last paragraph of that resolution indicated the City Manager may take those actions. Councillor Skamperle cited §17(B)2.13 of the Administrative Regulations regarding the business of Council and requested a legal opinion from the City Attorney. Councillor Skamperle explained he would hate to conduct business if it is not being done properly, and Councillor Kennedy agreed. Councillor Powers cited C-16 of the Charter and explained he believes that section regarding meeting rules and minutes refers only to making changes to the agenda. Councillor Powers said he would also like clarification from the City Attorney on that section. Councillor Skamperle said Council has made amendments to the agenda in the past to save time and money and explained that is what C-16 of the Charter refers to. Councillor Skamperle explained if changes are made it needs to be done correctly.

2. Councillor Powers moved a resolution opposing any change in the County sales tax apportionment to local municipalities, and Councillor Skamperle seconded to wit:

RESOLUTION OPPOSING ANY CHANGE IN THE COUNTY SALES TAX
APPORTIONMENT TO LOCAL MUNICIPALITIES

WHEREAS, in 1965 New York State enabled counties to collect sales tax because Medicaid expenses became a shared expense between the counties and the State, and

WHEREAS, in 1965 the St. Lawrence County Board of Supervisors decided to share 50% of realized sales tax revenue with local governments, including the City of Ogdensburg, and

WHEREAS, in 2012, when an additional one percent sales tax was added, the Board agreed to share the additional one percent with local governments including the City of Ogdensburg, and

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WHEREAS, due to the 10-year agreement for the sharing of this revenue being up for renegotiation between St. Lawrence County and the City of Ogdensburg, a County committee has been appointed to study and renegotiate the existing sales tax revenue distribution formula with the City of Ogdensburg, and

WHEREAS, the position of the County needing more funding to meet Medicaid costs, in addition to the need to renegotiate the sales tax agreement with the City of Ogdensburg may result in the County benefitting from additional sales tax revenue and the local governments, including the City, receiving decreased revenue, and

WHEREAS, the St. Lawrence County Association of Town Supervisors and the St. Lawrence County Association of Mayors, on behalf of all towns and all villages in the County, have issued a joint resolution opposing any change in the County sales tax apportionment to local municipalities,

NOW, THEREFORE, BE IT RESOLVED, the Ogdensburg City Council hereby declares its opposition to any change in the County sales tax apportionment to local municipalities due to the devastating impact an apportionment change would have on local municipal budgets, resulting in significant local tax increases and possible personnel layoffs, and be it further

RESOLVED, that copies of this resolution be given to the St. Lawrence County Legislature, the St. Lawrence County Association of Mayors, the St. Lawrence County Association of Town Supervisors, State Sen. Patricia Ritchie, State Sen. Elizabeth Little, State Sen. Joseph Griffo, State Assemblyman Mark Walczyk and State Assemblyman Billy Jones.

Councillor Skamperle said he originally understood Ogdensburg would have to agree to any change, but he has since learned the County can just make the change. Councillor Skamperle said St. Lawrence County is trying to pit all the towns and villages against Ogdensburg. Councillor Skamperle questioned if certified copies of the resolution will be sent to our representatives because they will need to approve a change. City Manager Sarah Purdy explained the 1% allocation is also up for renewal. Councillor Powers asked for an update on the negotiations.

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Ms. Purdy explained the topic was pulled from a meeting scheduled for earlier that evening. Ms. Purdy said she plans to ask for the date of the next negotiating session and added the Mayor and Council members are welcome to attend as long as a quorum of Council is not present. Mayor Skelly said it is unnecessary for the County to even consider this and vowed to fight hard against any change. Councillor Powers said the Medicaid deficiencies will be sucked up by the municipalities and asked how that will apply to the City and County. Ms. Purdy explained if the sales tax apportionment is changed, all portions will be assigned a greater portion of the Medicaid cost. Ms. Purdy said it is a concern because the State mandate was put to the County level. Councillor Powers said the State kicked the can down the road regarding Medicaid costs, and now we are left to pick up the pieces. Councillor Powers explained these funds are vital to the City, especially at a time when we are trying to dig ourselves out financially. Councillor Powers said he strongly supports the resolution. Mayor Skelly said the City is the only place in the County where the County has no roads or bridges to maintain, and the County does not patrol our roads. Mayor Skelly said we have our own dispatchers yet we pay 911 fees. Mayor Skelly said we are the only municipality required to make the school whole on parcels like the cheese plant. Mayor Skelly said it is ridiculous for the County to even consider this. Councillor Rishe said we will have to wait for the Governor's budget, but it doesn't hurt to get out in front of this. Ms. Purdy added it is unfair to the new Mayor and Councillors who ran on a platform to cut taxes for the County to say they are going to cut the City's revenue. Mayor Skelly said that was a good point, especially when we are working to get ourselves out of financial issues.

The vote was:

CARRIED, AYES ALL

3. Councillor Kennedy moved a resolution calling for a public hearing and public notice on a proposed ordinance to license the use of municipal property to Forgues Realty LLC, and Councillor Skamperle seconded to wit:

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

BE IT RESOLVED that Ordinance No. ___ of 2020, entitled an Ordinance to Authorize a License of Municipal Property, known as the Maple City Trail, be and it hereby is introduced before the City Council of the City of Ogdensburg, New York, and be it further

RESOLVED, that the City Council shall hold a public hearing in the matter of the adoption of the aforesaid ordinance to be held at the Council Chambers in the City of Ogdensburg, New York, on the 27th day of January, 2020 at 7:00 p.m., and be it further

RESOLVED, that the City Clerk give notice of such public hearing by publication in the newspaper at least seven (7) days before the hearing date of a notice setting forth the time and place and describing the proposed ordinance in summary form, and be it further

RESOLVED, that the City Clerk provide written notice of this public hearing to all property owners located within 300 feet of said municipal property.

City Manager Sarah Purdy explained the sign will actually be placed on property located in the Town of Oswegatchie, but access is needed from the Maple City Trail. Councillor Kennedy asked if the agreement includes language to insure any damage to the Maple City Trail will be repaired, and Ms. Purdy said yes.

The vote was:

CARRIED, AYES ALL

4. Councillor Rishe moved a resolution providing for public notice and public hearing with regard to an amendment to the Administrative Regulations, and Councillor Kennedy seconded to wit:

RESOLUTION

INTRODUCING ORDINANCE #__ FOR 2020

BE IT RESOLVED that proposed Ordinance # __ of the year 2020 entitled:

Amendment to the Administrative Regulations of the City of Ogdensburg be and it hereby is introduced before the City Council of the City of Ogdensburg, NY, and

BE IT FURTHER RESOLVED, that the City Council hold a Public Hearing on said proposed Ordinance at the City Council Chambers at 7:00 pm on Monday, January 27, 2020, and

BE IT FURTHER RESOLVED that the City Clerk publish or cause to be published a public notice in the official newspaper of the City of Ogdensburg of said public hearing at least seven days prior thereto.

City Comptroller Timothy Johnson said this change is an annual change and explained how the figures are calculated each year.

The vote was:

CARRIED, AYES ALL

5. Councillor Kennedy moved a resolution to appoint a committee to commence work on the City of Ogdensburg's 2020 application for Downtown Redevelopment Initiative Funding, and Councillor Rishe seconded to wit:

A RESOLUTION TO APPOINT A COMMITTEE TO COMMENCE WORK ON
THE CITY OF OGDENSBURG'S 2020 APPLICATION FOR DOWNTOWN
REDEVELOPMENT INITIATIVE FUNDING

WHEREAS, the City of Ogdensburg is in need of an injection of capital in its downtown for the health and prosperity of this community, and

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WHEREAS, the State of New York has an annual competition for \$10 million in Downtown Redevelopment Initiative funding to improve downtowns, and

WHEREAS, the City of Ogdensburg is going to do everything in its powers to compete effectively for these funds,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to form an ad hoc committee of Ogdensburg citizens and Ogdensburg business owners who share this vision to redevelop the downtown, and

BE IT FURTHER RESOLVED, that this committee shall be fully supported by the City administration with accomplishing this objective, and

BE IT FURTHER RESOLVED, that said application shall be written and submitted by the City with input, support and direction from this Ogdensburg Downtown Revitalization Initiative Committee in accordance with the procedures set out by the North Country Regional Economic Development Council.

Councillor Kennedy asked if Mayor Skelly was looking for input from Council for names of people for the committee. Mayor Skelly said yes, a list will be developed. Councillor Kennedy said she believes a very good effort was put into last year's application, and the meetings had a lot of community involvement. Councillor Kennedy said she believes the community felt valued because they were involved, and she hopes we can keep as many people as possible involved. Councillor Powers asked who helped with the 2019 application. City Manager Sarah Purdy said the Planning Board and Council also participated, and the sooner we get started, the better. Councillor Powers suggested a member of the Planning Board and Council be included on the committee. Mayor Skelly said involvement is wanted from everyone. Councillor Powers said it is a highly competitive process across the entire state. Councillor Rishe explained the idea is to form a grass roots committee to work with staff and then have staff write the grant.

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Mayor Skelly said it is good to get the citizens involved early, and he does not want to exclude anyone. Ms. Purdy said it is important to have members from the business community and civic community, and we will look to the Mayor for structure. Councillor Skamperle agreed the public should be involved as much as possible.

The vote was:

CARRIED, AYES ALL

6. Councillor Rishe moved a resolution to appoint an ad hoc committee to write an updated Comprehensive Plan for the City of Ogdensburg, and Councillor Dillabough seconded to wit:

A RESOLUTION TO APPOINT AN AD HOC COMMITTEE TO WRITE AN
UPDATED COMPREHENSIVE PLAN FOR THE CITY OF OGDENSBURG

WHEREAS, it has been a few decades since the City last updated its Comprehensive Plan, and

WHEREAS, the City Council would like to update this Comprehensive Plan to one that will be a statement of the City's vision and goals and objectives for the future, and

WHEREAS, this vision will encompass the entire community and such critical topics as: business development; housing; infrastructure; healthy community goals; crime prevention; waterfront development; downtown development; parks and recreation; historic preservation; and such other topics that will lead to an improved community and improved quality of life for the residents of the City of Ogdensburg,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to appoint an ad hoc committee of local citizens to draft an updated Comprehensive Plan for the City of Ogdensburg, and

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BE IT FURTHER RESOLVED, that City Administration shall assist and cooperate with the Comprehensive Plan Committee in achieving this important goal, and

BE IT FURTHER RESOLVED, that this Comprehensive Plan shall be created during 2020 and delivered to the Planning Board and City Council for consideration and adoption.

Councillor Kennedy said it is great to see a vision but Council decided at the last meeting to implement a hiring freeze. Councillor Kennedy said she believes this proposal isn't in line with the hiring freeze since the topics discussed will be limited without filling positions. Mayor Skelly said the only member of Council who reached out to him was Councillor Skamperle, the material requested by the incoming members was denied and they came in on January 1st without any information. Mayor Skelly said prior Councils brought the new members in from November to January. Councillor Kennedy said when she was elected to Council she was not brought in early. Councillor Kennedy said she supports developing the Comprehensive Plan but finds it ironic. Councillor Dillabough said it is going to take time and recommended keeping the hiring freeze on for now. Councillor Rishe said writing the Comprehensive Plan and the Downtown Redevelopment grant application do not have anything to do with the discussion about resources and how those resources should be allocated. Councillor Rishe said the idea is to create a plan. Councillor Kennedy said she believes the vision we want to have is completely opposite of what we are doing.

Councillor Skamperle asked if the incoming members had reviewed the LWRP. Councillor Rishe said a Comprehensive Plan covers the whole City, not just the waterfront. Councillor Skamperle said the LWRP encompasses the whole City and is a living document that can be changed. Councillor Skamperle suggested the resolution be tabled so everyone can review the LWRP. Councillor Skamperle explained the new zoning and Local Laws will need to conform to State and Federal laws in order for the City to qualify for grant funding. Councillor Skamperle said 95% of the work has already been done and suggested Director of Planning and Development Andrea Smith give Council a presentation on the topic. Mayor Skelly said the intent is to get more people involved, and Councillor Skamperle said the LWRP had a lot of citizen participation.

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Councillor Powers said the budget is what it is, is at bare bones and there are no hidden line items. Councillor Powers explained the recent criminal justice reform packages are a hindrance to public safety, and unfunded mandates are continually handed down. Councillor Powers said the approved budget allowed for the positions to be filled, and those positions are vitally important. Councillor Powers said he is not opposed to a committee but agrees we need to build on what we already have. Councillor Fisher said Council will deal with the budget as we go, and the budget is not done. Councillor Fisher said the Comprehensive Plan has not been updated in quite some time. Councillor Rishe said the current Comprehensive Plan is approximately 3 to 4 pages, and he would like to see people come together, develop a new plan and present it to Council. Councillor Skamperle said that is the exact purpose of the LWRP and suggested the matter be tabled until the next meeting so all members of Council have the opportunity to educate themselves about the LWRP. Councillor Rishe said he worked for the City in the 1990's and questioned what development has been done since then. Councillor Skamperle asked Councillor Rishe if he has read the LWRP, and Councillor Rishe said yes. Councillor Skamperle said Ms. Smith has invested a lot of time in the LWRP and questioned why it would be necessary to redo it. Mayor Skelly said the course Ogdensburg has been on for decades isn't working. Councillor Kennedy said the previous Councils had input in the direction the City was going, and now it is the current Council's turn. Councillor Kennedy explained all members of Council want the same general good for the City. Councillor Skamperle said he has served on Council for ten years and has been part of the BOA and Brownfield/Diamond progress. Councillor Skamperle said we are starting to make progress. Councillor Rishe said the Comprehensive Plan and the LWRP can complement each other. Councillor Skamperle questioned what is missing from the LWRP. Mayor Skelly said the Diamond property is only a partial success because it is not ready to be a single family residential area.

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

The vote to table the resolution was:

AYES: Councillors Kennedy, Powers and Skamperle

NAYS: Mayor Skelly, Councillors Dillabough, Fisher and Rishe

DENIED, 3 TO 4

The vote on the resolution was:

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

NAYS: Councillors Kennedy and Skamperle

CARRIED, 5 TO 2

OLD BUSINESS

1. Councillor Powers asked for clarification that the ad hoc committee for the Comprehensive Plan will work with the LWRP, and Mayor Skelly said yes. Councillor Powers asked for clarification that the hiring freeze policy will be reviewed again. Mayor Skelly said there will be swimming, recreation programs and grass mowing.

2. City Manager Sarah Purdy said it was previously understood that the retiring Fire Chief may come back. Ms. Purdy explained he would need to be gone for one day, and there is now a hiring freeze. Councillor Powers asked if anyone within the Fire Department has requested to be Fire Chief. Ms. Purdy said there may be one person interested, but she is still talking with State and County Civil Service regarding the requirements. Councillor Powers said but then there would be another vacant position at the Fire Department. Ms. Purdy explained the IAFF agreement covers how positions are eliminated, but she did not want to discuss it publicly.

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NEW BUSINESS

1. Councillor Fisher said he was concerned with last weekend's weather conditions that people did not know where to go in the event of an emergency. Councillor Fisher said the Disaster Preparedness Plan on the City website has not been updated since 2017. Councillor Fisher said the public needs to be notified prior to the event. Councillor Rishe said the plan needs to be updated and the procedure for notification should include social media. City Manager Sarah Purdy said she will discuss the issue with the County Office of Emergency Services. Councillor Fisher said National Grid had trucks positioned and ready to go. Councillor Rishe said the Fire Department was well prepared. Councillor Powers said there were no notifications from the County either. Mayor Skelly said he was contacted by Kit Smith regarding the generators at Sunoco since the City no longer has fueling stations at DPW. Ms. Purdy said she will look into it.

ITEMS FOR DISCUSSION

1. Councillor Kennedy said she was still pushing for an App to get information out to people quickly. City Manager Sarah Purdy explained Coralee Barrett was getting details and cost estimates on that suggestion, but she is no longer employed at the City. Ms. Purdy said she will get the information to Council.

2. Councillor Kennedy suggested a Work Session be scheduled so Council could try to coordinate common goals. Councillor Kennedy said the setting is more informal, and Council can speak freely. Councillor Kennedy asked City Clerk Cathy Jock to send a Doodle Poll to Council members to determine availability. There was a consensus of Council that a Thursday evening at 6pm would be the best option.

3. Councillor Kennedy said the DPW did an excellent job with last weekend's weather. Councillor Kennedy said even though we didn't get hit as hard as predicted, our DPW crews were out all night. Councillor Kennedy said many people commented what a great job was done.

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Mayor Skelly said there was no longer a need for Executive Session.

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