

CITY COUNCIL MEETING

November 23, 2020

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NOTE: Due to public health and safety concerns related to COVID-19, this City Council Meeting was not an in-person meeting. In accordance with the Governor's Executive Order 202.1, this meeting was held via videoconferencing using GoToMeeting.com. The public was notified in advance and provided appropriate information for attending.

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

Councillor Kennedy said Councillor Powers had asked to be excused from the meeting. There was a consensus of Council to excuse Councillor Powers.

PROCLAMATION

1. Mayor Skelly read a proclamation recognizing "Zonta Says NO to Violence Against Women Campaign" from November 25, 2020 through December 10, 2020. (A copy of the proclamation follows these minutes.)

PUBLIC HEARING

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

PERSONAL APPEARANCE

1. Michael Tooley addressed Council regarding the City Manager's reorganizational proposal. Mr. Tooley said although he is not opposed to the reorganization, he suggested a careful study of the proposal. Mr. Tooley explained the media reported City Manager Stephen Jellie had said it was simply housekeeping to make the changes, but he believed the proposed changes are significant changes to the Charter. Mr. Tooley suggested a Charter Review Commission be appointed to review the proposal. Mr. Tooley suggested some of the unused funds from the 2020 budget be used to offset expenses for 2021. Mr. Tooley discussed long term planning for the City and the City's goal regarding sale tax revenue. Mr. Tooley said last year's City administration and Council members negotiated contracts to benefit the City's long-term planning goals and discussed the favorable points of those contracts. Mr. Tooley said he is concerned about the legal costs associated with breaking those contracts. Mr. Tooley added he would be disappointed if the unions would not negotiate those contracts.

2. Scott McRoberts addressed Council regarding the proposed 2021 spending plan and specific line items. Mr. Roberts said the changes regarding State and Federal aid are not reflected in the proposed budget. Mr. McRoberts suggested Council receive a more accurate preliminary budget and said the current City Manager does not have the required background and does not meet the requirements to be City Manager. Mr. McRoberts suggested Council clean up the language at section C-18 of the Charter. Mr. McRoberts said the current City Manager originally requested \$5,000 for an accounting service to assist with the budget and is now requesting an additional \$20,000.

3. Doug Loffler addressed Council noting the Mayor had previously stated democracy was defined at the last election. Mr. Loffler said the Mayor is forgetting about the entire population of the City as a whole. Mr. Loffler explained the majority of the City's residents have no confidence in Council or the City Manager, and the moral of employees is at an all-time low. Mr. Loffler said this is the City's worst administration. Mr. Loffler said the current Council has taken away the public's ability to be heard. Mr. Loffler quoted Councillor Rishe regarding transparency and suggested Councillor Rishe come out from behind the curtain.

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Mr. Loffler questioned why the current City Manager's contract did not require him to move into the City within sixty days like previous contracts. Mr. Loffler questioned why the current City Manager was permitted to work remotely and said that wouldn't be necessary if he lived in the City. Mr. Loffler said he would like more information on the bonus clause contained in the current City Manager's contract. Mr. Loffler referenced Mayor Skelly's letter to the Watertown Daily Times blaming the previous Council. Mr. Loffler questioned why additional funds were added to the attorney fees for 2021. Mr. Loffler questioned the \$84,000 consulting fees, the additional position in the Planning Department, and the City Manager's secretary position for \$52,000 all of which are contained in the proposed 2021 budget. Mr. Loffler noted there was good news with the recently received sales tax revenue numbers for 2021.

4. David Price addressed Council regarding transparency and shared figures he received from a recent FOIL request noting there was a \$7 million general fund balance at the end of 2019. Mr. Price said Mayor Skelly is claiming the City is near bankruptcy but explained the City is far from bankruptcy. Mr. Price said being publicly chastised for expressing his opinion was wrong and added Council needs to stop silencing people who do not agree. Mr. Price suggested Council start working together.

CONSENT AGENDA

Mayor Skelly moved that the claims as enumerated in General Fund Warrant #19-2020 in the amount of \$383,222.39 and Library Fund Warrant #19-2020 in the amount of \$15,206.20 and Capital Fund Warrant #19-2020 in the amount of \$82,251.05 and Community Development Fund Warrant #19-2020 in the amount of \$80.25 and Community Renewal Fund Warrant #19-2020 in the amount of \$5,724.00 as audited, be and the same are ordered paid and Councillor Dillabough seconded the motion.

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Councillor Kennedy asked for the dates that the Conboy, McKay, Bachman and Kendall bills were paid through and requested that Council receive more specifics on all attorney bills paid. City Manager Stephen Jellie said he would provide that information to Council. Councillor Kennedy questioned the payment to Big Apple Music, and Mr. Jellie explained it was for the new audio system in Council Chambers. Councillor Kennedy questioned the payment to Willow Tree Florist, and Mr. Jellie explained the payment was for trees from the tree budget. Councillor Kennedy asked for the date that the Gray and Gray bill was paid through, and Mr. Jellie said he would provide that information to Council. Councillor Kennedy asked if the payment made to Ryan Frary was a refund, and Mr. Jellie said yes.

Councillor Skamperle said he appreciates receiving more details regarding the Consent Agenda but requested more specifics on the payments made to Conboy, McKay, Bachman and Kendall. Mr. Jellie said he will provide that information going forward and noted he has a binder in his office of all attorney invoices making the information easily accessible for Council.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Skamperle 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 Mayor Skelly seconded to wit:

ORDINANCE #16 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 1/1/2021 through 12/31/2022, 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.

The vote was:

CARRIED, AYES ALL

2. Councillor Skamperle moved a resolution calling for public notice and public hearing regarding the proposed dissolution of a portion of Paper Cherry Street generally described as being 60' in width and 690' in length between Lake Street and the Maple City Trail tax map parcel 59.022-4-58.1, and Councillor Dillabough seconded to wit:

RESOLUTION OF THE CITY COUNCIL TO PROVIDE FOR
PUBLIC NOTICE AND PUBLIC HEARING

WHEREAS, New York State General City Law – Section 29: Official Map, Changes states that “Before making such addition or change the matter shall be referred to the planning board for report thereon”, and

WHEREAS, the Planning Board reviewed this request on Tuesday, September 15, 2020 having submitted a report recommending denial of the proposed dissolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council shall hold a public hearing seeking public comment on the proposed dissolution of a portion of portion of Paper Cherry Street generally described as being 60’ in width and 690’ in length between Lake Street and the Maple City Trail tax map parcel 59.022-4-58.1, to be held in the City Council Chambers at City Hall, Ogdensburg, New York, on the 14th day of December, 2020 at 7:00 p.m.; and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearings by publication in the newspaper so designated by the City Council of the City of Ogdensburg for legal and public notices at least seven (7) days before the hearing dates setting forth the time and place.

Councillor Skamperle said he had reviewing the Planning Board minutes and questioned if the Planning Board had recommended the dissolution, suggesting perhaps he was reading the minutes incorrectly. Director of Planning and Development Andrea Smith clarified that the motion to approve the request was defeated. Councillor Fisher said he will support the public hearing however he noted the Planning Board and the Director of Public Works both did not support the dissolution. City Manager Stephen Jellie said the City has been keeping paper streets for years, and he understood Council wanted to get properties back on the tax roll. Mr. Jellie explained the City could maintain an easement for stormwater run-off. Councillor Fisher agreed it is Council’s objective to get properties back on the tax roll but noted Council should listen to the Planning Board recommendations.

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Mr. Jellie explained staff will give direction to the Planning Board of Council's goals going forward, adding the City is hanging on to paper streets for no reason. Councillor Skamperle suggested the City maintain a right-of-way if there was a plan to put in a sewer line in the future, and Mr. Jellie agreed. Councillor Fisher said he plans to review the Planning Board minutes to understand their concerns, agreeing it would be smart for the City to maintain an easement. Mayor Skelly said a sewer line could also be run on Route 37 or on Spruce Street.

The vote was:

CARRIED, AYES ALL

3. Councillor Skamperle moved a resolution calling for a public hearing on a Local Law to amend Chapter 215 (Section 39, 40 and 41) of the Ogdensburg Municipal Code entitled Water Rates, and Mayor Skelly seconded to wit:

RESOLUTION OF CITY COUNCIL
INTRODUCING A LOCAL LAW AND PROVIDING FOR
PUBLIC NOTICE AND PUBLIC HEARING

BE IT RESOLVED that proposed Local Law # ___ of the year 2020 entitled:

Amendment to the Ogdensburg Municipal Code, Chapter 215 Entitled Water Rates be and it hereby is introduced before the City Council of the City of Ogdensburg, NY, and

BE IT RESOLVED, that the City Council hold a Public Hearing on said proposed Local Law at the City Council Chambers, 330 Ford Street, Ogdensburg, NY at 7:00 pm on Monday, December 7, 2020, and

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 Skamperle questioned the rate of increase, and City Manager Stephen Jellie said it was three percent.

The vote was

CARRIED, AYES ALL

4. Mayor Skelly moved a resolution providing for public notice and public hearing with regard to an amendment to the Administrative Regulations, and Councillor Dillabough 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, December 14, 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.

Councillor Skamperle questioned the purpose of the proposal. Councillor Fisher said the proposal was intended to change the start time of Council meetings from 6pm to 7pm. Mayor Skelly said it would also add two additional meetings during the summer.

The vote was:

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

NAYS: Councillor Skamperle

CARRIED, 6 TO 1

5. Councillor Skamperle moved a resolution to approve the sale of surplus property located at 100 Paterson Street to the St. Lawrence County Industrial Development Agency or an IDA/Affiliated Development Corporation, and Councillor Dillabough seconded to wit:

RESOLUTION TO APPROVE THE SALE OF CITY-OWNED PROPERTY TO
THE ST. LAWRENCE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
OR AN AFFILIATED DEVELOPMENT CORPORATION

WHEREAS, the City of Ogdensburg has acquired 100 Paterson Street in accordance with property tax sale foreclosure proceedings in June 2014; and

WHEREAS, in accordance with the terms of the attached MOA dated November 27, 2017 the City and St. Lawrence County Industrial Development Agency (SLCIDA) successfully applied for Restore New York funding in the amount of \$1,000,000; and

WHEREAS, the IDA has provided the necessary bridge financing for the Restore NY grant for the rehabilitation of the former Newell Manufacturing Building in the amount of \$1.6 MM to include the required \$300,000 match; and

WHEREAS, the MOA shall terminate upon the transfer of property from the City to the SLCIDA or an IDA/Affiliated Development Corporation upon the completion of site rehabilitation; and

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WHEREAS, the City has complied with the terms of the Restore New York Grant Agreement, completing phase I of the rehabilitation.

NOW, THEREFORE BE IT RESOLVED, that the Ogdensburg City Council approves the following sale of property to the SLCIDA or an IDA/Affiliated Development Corporation for \$1:

Tax Map #:	48.071-5-47.1
Location:	100 Paterson Street
Restrictions:	This is a conforming parcel in the City's Industrial/Institutional (I/I) zoning district.

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

Councillor Skamperle said he had reviewed the minutes of an October 2019 Council meeting and explained that basically IDA plans to bridge the funding for the City. Director of Planning and Development Andrea Smith agreed and added there was also a \$1 million Restore NY grant and a memorandum of understanding with IDA completed at the time of application. Ms. Smith added there would be no out of pocket expense to the City, adding there was also a \$300,000 National Grid grant with a \$300,000 match that IDA provided. Ms. Smith explained there has been \$1.6 million invested, noting IDA has invested significant funds in the property justifying the \$1 transfer from the City to IDA. Councillor Skamperle questioned if the City will need to repay IDA, and Ms. Smith said no. Mayor Skelly said he believed Congresswoman Elise Stefanik assisted with funding for the property. Ms. Smith said IDA had received two grants one of which is Northern Border Regional Commission, a Federal funding source in which there was support from Congresswoman Elise Stefanik. Mayor Skelly asked if a tour of the property for members of Council was possible. Ms. Smith said yes, noting a tour had been previously scheduled but had to be cancelled due to an issue with roof repairs. Mayor Skelly said it was good for the City for the building to be turned around and commended Ms. Smith for her work on the project.

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Councillor Skamperle asked if the property would be placed on the tax roll when the sale is complete. Ms. Smith said that is the long-term goal. Ms. Smith stated she would work with IDA Chief Executive Officer Patrick Kelly to prepare a memo with additional details so as not to misspeak. Councillor Rishe said an adaptive reuse permit was applied to the property and commended Ms. Smith and IDA for their work on the project. Councillor Rishe said the property has now been rehabilitated into an asset.

Councillor Rishe questioned the requirement of a vote of the majority of Council to sell City-owned property and asked City Manager Stephen Jellie to review that topic with the City Attorney. Councillor Rishe said the vote requirement impedes progress for the City. Councillor Skamperle asked if the parking lot across from 100 Paterson Street is included with the building. Ms. Smith explained the City purchased the parking lot, and it would need to be sold by public auction. Councillor Skamperle questioned if an individual had previously expressed interest in a portion of the parking lot. Ms. Smith explained subdivision and a public auction would be required for a portion of the parking lot to be sold, adding that would not be an advantage to the City.

The vote was:

CARRIED, AYES ALL

6. Mayor Skelly moved a resolution to allocate funding for additional accounting services to be provided by Gray & Gray Certified Public Accounts, P.C., and Councillor Dillabough seconded to wit:

RESOLUTION TO ALLOCATE FUNDING FOR ADDITIONAL
ACCOUNTING SERVICES TO BE PROVIDED BY GRAY & GRAY
CERTIFIED PUBLIC ACCOUNTANTS, P.C.

WHEREAS, the City Comptroller retired on September 30, 2020; and

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WHEREAS, the City of Ogdensburg required the immediate assistance of a certified public accountant firm to complete the 2021 budget and retained Gray & Gray Certified Public Accountants, P.C.; and

WHEREAS, the City Manager requests the continued assistance of Gray & Gray Certified Public Accountants, P.C. for accounting support.

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is authorized to continue utilizing the services of Gray & Gray Certified Public Accountants, P.C. at an expense not to exceed \$20,000, and

BE IT FURTHER RESOLVED, that the funds to cover this expense will come from AA1315.110.

City Manager Stephen Jellie explained he is requesting \$20,000 of the remaining \$30,000 to \$33,000 of the previous City Comptroller's salary to get through the end of the year and finalize the budget. Councillor Kennedy requested an itemized bill from the accounting service.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. City Manager Stephen Jellie asked a member of Council to make a motion to amend the public hearing date for Bill #110, a Local Law to allow for the changes to the Ogdensburg Municipal Code, Section 177 entitled Sewer Rates as dictated by the adoption of the 2021 budget, from December 14, 2020 to December 7, 2020 at 7:00pm in Council Chambers. Mr. Jellie explained he hoped to synchronize all of the 2021 budget items which he originally believed would have culminated on December 14, 2020.

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Councillor Skamperle made a motion to amend the public hearing date regarding a Local Law to allow for the changes to the Ogdensburg Municipal Code, Section 177 entitled Sewer Rates as dictated by the adoption of the 2021 budget, from December 14, 2020 to December 7, 2020 at 7:00pm in Council Chambers, and Councillor Fisher seconded the motion.

The vote to amend the resolution was:

CARRIED, AYES ALL

The vote on the amended resolution was:

CARRIED, AYES ALL

2. Councillor Skamperle said the Ogdensburg Bridge and Port Authority (OBPA) needs a security agreement for the airport and had requested it from the City by October 2020. Councillor Skamperle explained OBPA needs the agreement as soon as possible because they are seeking funding. City Manager Stephen Jellie said he had emailed OBPA Executive Director Steve Lawrence about the agreement, adding he wanted to get through the Police Department Budget Work Sessions prior to presenting the proposed agreement for Council's approval to make sure Council was in agreement.

CITIZEN PARTICIPATION

1. Felicia Dumas addressed Council regarding the St. Lawrence County CDP annual report that was sent to Council and asked for confirmation Council members received it. City Manager Stephen Jellie confirmed Council members had received the report, adding the funding for the Neighborhood Center was discussed by Council and he would email Ms. Dumas with an update.

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2. David Price addressed Council and commended previous City Manager Sarah Purdy and the work done to get properties back on the tax roll. Mr. Price said there was a very successful parade around the City on Saturday night coordinated by those who support the City's first responders, noting it showed the amount of support for the City's first responders.

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

Office of the Mayor
Ogdensburg, New York

Proclamation

WHEREAS, Violence against women is a worldwide pandemic - it crosses every social and economic class, every religion, race and ethnicity; and

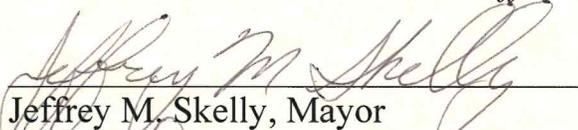
WHEREAS, at least one out of every three women worldwide have experienced violence during their lifetime; and

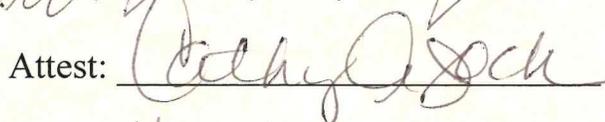
WHEREAS, Zonta International supports projects that engage and empower the global community to end violence against women; and

WHEREAS, "Zonta Says NO to Violence Against Women" is a Zonta International campaign to raise awareness of and increase actions to end violence against women and girls around the world; and

NOW, THEREFORE, I, Jeffrey M. Skelly, do hereby proclaim November 25, 2020 through December 10, 2020 as the "Zonta Says NO to Violence Against Women Campaign" and encourage all people to recognize and help end violence against women and girls.

In witness whereof I have hereunto set my hand and caused this seal to be affixed.


Jeffrey M. Skelly, Mayor

Attest: 

Date: November 23, 2020

