

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

PRESENT: Mayor Nelson, Councillors Ashley, Hosmer, Mitchell, Morley, Skamperle and Stevenson

ABSENT: None

PROCLAMATION

1. Mayor Nelson read a proclamation recognizing September 17 – 23 as National Constitution Week and thanked the Daughters of the American Revolution (DAR) for promoting our Constitution. (A copy of the proclamation follows these minutes.)

2. Mayor Nelson read a proclamation recognizing October 2014 as Anti-Bullying Awareness Month in the City of Ogdensburg. (A copy of the proclamation follows these minutes.)

PUBLIC HEARING

1. A public hearing regarding an amendment to the Administrative Regulations of the Code of the City of Ogdensburg Article VI, Risk Management, Section AR-36, Assignment of Duties, Subsection C(1) and the appointment of Loss Prevention Coordinator was held.

No one being present to speak, the hearing was declared closed.

PERSONAL APPEARANCE

1. Gary Hammond of CGSW Racing addressed Council regarding the Maple City Triathlon Round-Up. Mr. Hammond said this event was the first triathlon held in the City. Mr. Hammond thanked the City of Ogdensburg Police, Fire and Recreation departments, Ogdensburg Volunteer Rescue Squad, New York State Police and Ogdensburg basketball team. Mr. Hammond said participants and their friends or family helped increase revenue in the areas of gas, lodging and food. Mr. Hammond said he wants to do it again next year.

Connor Sutton of CGSW Racing addressed Council regarding the Hoswegatchie Duathon to be held on September 21, 2014. Mr. Sutton explained the race and how it proceeds along the Oswegatchie Trail.

Mayor Nelson commended their efforts to promote the City and thanked them for their hard work. Mayor Nelson said the events will continue to grow.

2. Linda Silver Hooper addressed Council regarding neighbors storing brush in Pottery Lane. Mrs. Hooper said she is forced to dodge debris on Jersey Avenue at the end of the lane. Mrs. Hooper said she was told by City Manager John Pinkerton to tell neighbors not to pile their brush there, but she doesn't feel it is her place to tell the neighbors. Mrs. Hooper explained Pottery Lane is used for traffic. Mrs. Hooper said she has called DPW but they refuse to pick up the brush. Mrs. Hooper explained she is concerned and wants a resolution to the problem. Councillor Morley said he intends to raise this issue under Old Business.

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3. Tonya Snyder, owner of Tonya's Hairstyling at 911 Main Street, addressed Council regarding Sheehan loaded trucks speeding in the 900 block of Main Street. Councillor Ashley said he saw the police department with radar two different times last week. City Manager John Pinkerton said the police department has increased surveillance in the area, and Mrs. Snyder's efforts have made a difference. Mr. Pinkerton commended her for that and explained we have requested NYSDOT reduce the speed to 30 mph along that stretch. Councillor Stevenson said she tried to call Sheehan to advise them that while they work in the City they need to respect posted speed limits. Mayor Nelson suggested Mr. Pinkerton meet with City staff to reduce the speed limit and add signage.

CORRESPONDENCE

1. City Clerk Kathleen Bouchard read a letter from Joseph Cosentino, Amvets Post 19, regarding a flag burning ceremony. The ceremony will be held on November 11, 2014 at the Ogdensburg Amvets Post 19, from 6:00pm to 10:00pm. (A copy of the letter follows these minutes.)

2. City Clerk Kathleen Bouchard read a letter from Mildred Elliott, Medical Service Coordinator of Cerebral Palsy Association, requesting a "Deaf Child" sign near the 600 block of Rensselaer Avenue. (A copy of the letter follows these minutes.)

3. City Clerk Kathleen Bouchard read a letter from Joe Basta requesting rezoning of his riverfront property located on Covington Street from RB to MDR. (A copy of the letter follows these minutes.)

Mayor Nelson turned all matters of correspondence over to City staff to be addressed.

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #15-2014 in the amount of \$1,102,615.15 and Library Fund Warrant #15-2014 in the amount of \$47,171.23 and Capital Fund Warrant #15-2014 in the amount of \$137,718.82 and Community Development Fund Warrant #15-2014 in the amount of \$0.00 and Community Renewal Fund Warrant #15-2014 in the amount of \$17,071.00 and HOME Fund Warrant #15-2014 in the amount of \$0.00 and AHC Funds Warrant #15-2014 in the amount of \$0.00 and NSP Funds Warrant #15-2014 in the amount of \$0.00 as audited, be and the same are ordered paid and Councillor Ashley seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Ashley moved an ordinance to amend the Administrative Regulations, Article VI, Risk Management, Section AR-36, entitled Assignment of Duties, Subsection C(1) and the appointment of Loss Prevention Coordinator, and Councillor Morley seconded to wit:

ORDINANCE #11 OF 2014
ORDINANCE TO AMEND THE ADMINISTRATIVE REGULATIONS
OF THE CODE OF THE CITY OF OGDENSBURG ARTICLE VI,
RISK MANAGEMENT, SECTION AR-36, ASSIGNMENT OF DUTIES,
SUBSECTION C(1), LOSS PREVENTION COORDINATOR

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

ITEM ONE

That Article VI, Risk Management, Section AR-36, Assignment of Duties, Subsection C(1), Loss Prevention Coordinator, is hereby deleted in its entirety and replaced with the following:

C. Loss Prevention Coordinator.

- (1) The City Comptroller is hereby appointed as Loss Prevention Coordinator. It shall be his responsibility to administer a total loss prevention effort at a staff level and to coordinate these efforts with all department heads to ensure that loss prevention standards are met throughout the City.

ITEM TWO

This ordinance shall take effect ten (10) days after publication of a notice which shall give the title and describe same in summary form.

Councillor Skamperle asked if Mr. Cosmo will receive a pay increase, and City Manager John Pinkerton said no.

The vote was:

CARRIED, AYES ALL

2. Councillor Stevenson moved a resolution to amend the 2014 budget to allow for the use of 2013 Operation Stonegarden Grant funds to cover overtime expenditures incurred in the continued participation of the 2013 Operation Stonegarden operational plan as approved by the grant, and Councillor Skamperle seconded to wit:

**A RESOLUTION TO AMEND THE 2014 GENERAL FUND BUDGET
IN CONNECTION WITH 2013 OPERATION STONEGARDEN FUNDS**

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WHEREAS, the City was awarded funding from the Office of Homeland Security, to be utilized in participating in the 2013 Operation Stonegarden Program, and

WHEREAS, a portion of those funds amounting to approximately \$17,220.00 were earmarked to cover overtime expenses incurred in performing our manpower obligations and specialized equipment costs within the program, and

WHEREAS, the process of obtaining the approval and State contract award, went beyond the date of approval of the 2014 Budget and therefore the funding was not reflected in the 2014 Budget, and

WHEREAS, the proper approval and contract award process has been completed and the funding needs to be reflected within the 2014 Budget,

NOW, THEREFORE BE IT RESOLVED, that the City Council amends the 2014 budget to allow for the expenditure of the 2013 Operation Stonegarden Program grant funds, in the amount of \$17,220.00, to be appropriated as follows:

\$14,000.00 to be added to the Overtime Line – A3120.120

\$ 3,220.00 to be added to the Office Expense Line – A3120.420

AND BE IT FURTHER RESOLVED that the 2013 Operation Stonegarden Program revenue line be created in the 2014 budget as follows:

\$17,220.00 to be added to the 2013 Operation Stonegarden Program revenue line – A4099

Councillor Morley asked if the expenses covered will be manpower or equipment purchases. Police Chief Richard Polniak said the expenses will cover specialized equipment and a licensing fee for required software.

The vote was:

CARRIED, AYES ALL

3. Councillor Mitchell moved a resolution authorizing new fees for Recreation Department facilities, and Councillor Skamperle seconded to wit:

RESOLUTION ESTABLISHING NEW FEES
FOR RECREATION DEPARTMENT FACILITIES

WHEREAS, the City of Ogdensburg operates the Dobisky Visitors' Center, Richard G. Lockwood Civic Center for public recreation purposes; and

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

WHEREAS, after a review of the rate schedule by the Ogdensburg Recreation Department, the Ogdensburg Recreation Commission recommends the following changes in fees at city recreation facilities:

RICHARD G. LOCKWOOD CIVIC CENTER

Non-Ice Rate for Youth Groups – \$20 per hour

DOBISKY VISITORS' CENTER

Change from a 4-hour block to hourly rentals:

Small Room - \$9 per hour

Large Room - \$14 per hour

Both Rooms - \$23 per hour

Councillor Morley asked how the increases will affect the Recreation Department revenue line. City Manager John Pinkerton said although the increases are only small increments, he estimates revenue will increase. Councillor Skamperle said it may increase usage.

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The vote was:

CARRIED, AYES ALL

4. Mayor Nelson moved a resolution appointing Julie Breen Madlin as City Historian for the City of Ogdensburg, and Councillor Skamperle seconded to wit:

RESOLUTION APPOINTING A CITY HISTORIAN

WHEREAS, the City Historian is an important position responsible for preserving and interpreting the City of Ogdensburg's past, research and writing, teaching and public presentations, historic preservation (documents, artifacts, and buildings), and organization, advocacy, and tourism promotion, and

WHEREAS, the City Historian duties include researching and developing content for the City's digital initiative to create an interactive, mobile-friendly website and series of apps designed to engage the general public, in the study of local history; and

NOW, THEREFORE, BE IT RESOLVED, that Julie Breen Madlin is hereby appointed City Historian for the City of Ogdensburg, and

BE IT FURTHER RESOLVED, funds to pay for this position for the remainder of 2014 shall be derived from the following:

A1430.410 Personnel/Civil Service Travel	\$500.
A1230.410 City Manager Travel	\$500.

Mayor Nelson explained that he and City Manager John Pinkerton met with Mrs. Madlin. Mayor Nelson said she is energetic and creative, has a lot of ideas and will be an asset to our City team.

The vote was:

CARRIED, AYES ALL

5. Mayor Nelson made a motion to bring an ordinance amending Chapter 209, Section 209-40, Schedule III: "School Speed Limits", of the Ogdensburg Municipal Code off the table, and Councillor Morley seconded the wit:

ORDINANCE #10 OF 2014
AN ORDINANCE AMENDING CHAPTER 209 ENTITLED
"VEHICLES AND TRAFFIC"
OF THE CODE OF THE CITY OF OGDENSBURG

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

ITEM ONE:

That Section 209-40, Schedule III: "School Speed Limits" is hereby amended to delete the following:

<u>Name of Street</u>	<u>Speed limit (mph)</u>	<u>Location</u>
Gates Street	20	Adjacent to Ogdensburg Catholic Central School between Mansion Avenue and Albany Avenue
Jay Street	20	Adjacent to the Lincoln School Between Judson Street and South Rosseel Street

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Judson Street	20	Adjacent to Lincoln School Between Knox Street and Jay Street
Knox Street	20	Adjacent to Lincoln School Between Judson Street & South Rosseel Street
Mansion Avenue	20	Adjacent to Ogdensburg Catholic Central School between Spring Street and Gates Street
South Rosseel Street	20	Adjacent to Lincoln School Between Knox Street and Jay Street

ITEM TWO:

This ordinance shall take effect ten (10) days after publication of notice which shall give the title and describe same in summary form.

The vote to bring the ordinance off the table was:

CARRIED, AYES ALL

The vote on the ordinance was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Morley said he is concerned about a Gator being used on City streets by City staff. Councillor Morley explained New York State law says a Gator cannot be used on City streets and recommended it be placed on a trailer. City Manager John Pinkerton said he will address it with City staff.

2. Councillor Skamperle said he missed the Council meeting when the traffic lights at State and Washington Streets and State and Ford Streets were changed to no turn on red.

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Councillor Skamperle said he is noticing traffic jams at these intersections and suggested placing a sign instructing drivers to yield to pedestrians in the crosswalk instead. City Manager John Pinkerton said there were issues with those intersections and he doesn't see traffic jams. Mr. Pinkerton said the elderly and handicapped cross at the Washington and State Streets intersection with walkers and wheelchairs and they requested the change. Mr. Pinkerton said he thinks we did the right thing. Councillor Skamperle asked if it is a DOT regulation that the sign be lit. Mr. Pinkerton said it is required if we intend to stop traffic so pedestrians can cross.

Police Chief Richard Polniak said these intersections became an issue because pedestrians were unable to enter the crosswalk because cars were turning right on red.

3. Councillor Ashley addressed Mrs. Hooper's concern regarding brush in the lanes. Councillor Ashley explained he toured the lanes with City Manager John Pinkerton and a majority of the lanes are a mess. Director of Public Works Scott Thornhill said it takes one or two days for two crews to pick up brush in designated areas which allows him to use those staff members on other projects the rest of the week. Councillor Morley requested a breakdown of the manpower hours dedicated per day.

Councillor Stevenson explained we have two issues: whether to pick up brush in lanes or change our enforcement policy. Councillor Ashley said the lanes are an eyesore. Councillor Stevenson said we agreed to do this for one year. Councillor Ashley said he thought we would continue to pick up lanes under the new policy. Councillor Skamperle explained the lane policy was created due to liability and safety issues. Councillor Skamperle suggested brush be brought to one central location agreed to by all neighbors and approved by DPW. Councillor Morley said brush cannot be piled on someone else's private property. Councillor Skamperle said one lane has a cement pad that could be designated as a pickup area. Councillor Hosmer asked how many accidents have occurred because of brush pickup in lanes over the past five years and questioned how much longer it would take to pick up the lanes. Mr. Pinkerton said some lanes are 20' wide while others are only 10' 2" wide.

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Councillor Morley asked how the policy works if houses are located on a lane. Mr. Pinkerton said we have no choice in those instances. Councillor Ashley said a flagger is needed during brush pickup. Councillor Stevenson asked for the City's policy on flagging. Mr. Pinkerton said this year has been a learning process and we are working on solutions. Councillor Stevenson said people are having issues and suggested a one-time only lane cleanup.

Councillor Hosmer asked if lanes will be picked up during the fall cleanup in October. Mr. Pinkerton said the public announcement will ask residents who have a lane to put their brush out front for the pickup date.

Councillor Morley made a motion to begin brush pickup in lanes, and Councillor Mitchell seconded it.

Councillor Hosmer said the City saved 1,000 man hours with the new policy. After much discussion, Mayor Nelson asked Councillor Morley if he wanted to amend his motion to include a one-time only cleanup of lanes.

Councillor Morley moved to amend the motion to include a one-time only brush pickup in the lanes, and Councillor Skamperle seconded.

The vote to amend was:

CARRIED, AYES ALL

The vote on the resolution as amended was:

CARRIED, AYES ALL

4. Councillor Hosmer asked if the City has received the Bassmaster's grant money. City Manager John Pinkerton said the City has not received it, but he spoke to Senator Ritchie about it two weeks ago and it is expected soon.

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NEW BUSINESS

1. Councillor Morley said he received a complaint from a Market and Main Streets property owner. City Manager John Pinkerton said that matter is regarding possible litigation, and should be discussed in Executive Session.

2. Councillor Skamperle asked if Council planned to address Joe Basta's letter. City Manager John Pinkerton said Director of Planning & Development Andrea Smith will discuss this request under Items for Discussion.

3. Mayor Nelson thanked City staff for the Bjork Park dedication. Mayor Nelson said at the dedication we forgot to mention Kit Smith and Pat Paquin who were very instrumental in the project. City Manager John Pinkerton said Council can be proud of their City staff.

ITEMS FOR DISCUSSION

1. City Manager John Pinkerton said City Assessor Bruce Green will give Council an overview of the property located at 1114 Lafayette Street. Mr. Pinkerton explained the City should decommission the paper street, consolidate the parcels and then subdivide into three parcels. Mr. Pinkerton said the property could be divided into three buildable lots and put back on the tax roll.

City Assessor Bruce Green said the four lots were acquired through a tax sale. Mr. Green explained the City plans to dissolve the paper street, combine the lots and subdivide the property into three lots between Jersey and Lafayette Streets. Councillor Morley asked if we should keep the paper street to maintain access to the lots. Mr. Pinkerton said there is street frontage on Lafayette Street. Mr. Green said the parcel should be surveyed and subdivided into three lots. Code Enforcement Officer Gregg Mallette explained that the paper street is only 26' wide and most right of ways on City streets are 60' wide.

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Mr. Pinkerton said the proposed change is the least expensive way to put the property back on the tax roll. Councillor Stevenson asked how we can supply water and sewer to the lots. Mr. Mallette said those services can be run from Lafayette Street. Mayor Nelson asked if it is Council's intent to put the property back on the tax roll without investing a lot of money. Mayor Nelson said Council is in favor of selling the lots.

3. City Manager John Pinkerton said a new subsection was created on September 9, 2013 regarding the placement of materials between developed or undeveloped sidewalks and curbs. Mr. Pinkerton said he wishes to address people who park in front of someone else's property.

Code Enforcement Officer Gregg Mallette said he has received many complaints of people parking on the property owner's grassy area between the sidewalk and roadway and the OMC doesn't address this. Mr. Mallette said this legislation will not allow someone to park on the grass or sidewalk without the owner's permission. Mr. Mallette added that enforcement for this provision will only be initiated by the property owner.

Councillor Skamperle objected to the language, resident/owner's residence and added that if you own the property, you should be able to park on your property. Councillor Skamperle requested changing resident/owner's residence to the owner's property. Council agreed and there was a consensus of Council to bring this forward for Council action.

4. City Manager John Pinkerton said we have three different options for the Lake Street redesign. They are:

- 1) Make Lake Street one way from Spring Street to Grove Street.
- 2) Close off Lake Street from Spring Street to trail entrance, construct a circle turn and parking lot near trail entrance.
- 3) Two way from Grove Street to trail entrance, one way from Spring Street to trail entrance, from trail entrance to boat launch one way, two way from boat launch up Lake Street north side.

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Scott Thornhill, Director of Public Works stated that if the City provides the labor, Tisdel Associates will provide the material for \$100,000. Mr. Pinkerton said all options and information from Tisdel will be brought to Council for the next meeting.

5. Director of Planning & Development Andrea Smith addressed Council regarding the following three zoning issues:

a) Adaptive Reuse District - Ms. Smith gave Council an overview of the proposed new zoning district, Adaptive Reuse District (ARD). Ms. Smith said the local Planning Board has recommended the adoption of a new adaptive reuse district to address public, quasi-public, and institutional parcels within the City. Ms. Smith stated this new district will cover all parcels categorized under the property class code 600 or 800 that are presently in a SFR and are less than 2 acres in size. Ms. Smith added that the County Planning Board requires a review of the Adaptive Reuse District and added that this change is not just for closed schools and churches. Ms. Smith explained this district develops a process to review applications. City Manager John Pinkerton said it prevents locking an institution into a SFR without being able to use it. Councillor Skamperle said he is concerned about the possible night time traffic, as trucks deliver at night. Councillor Stevenson asked if the Planning Board can check into flexible zones. Ms. Smith said the joint commission of Planning and Zoning Boards will provide a process for neighborhood's to reuse property compatible to the district. Ms. Smith said the Planning Board recommended a five member joint board or commission. Mayor Nelson said Council received this information in their 8/7 update. Ms. Smith explained the matter will go before the County Planning Board this week and to Council at the next meeting. There was a consensus to move forward.

b) Districting - Ms. Smith addressed redistricting properties and Mr. Basta's request. Ms. Smith explained the Planning Board recommends future rezoning of parcels currently zoned RB. Ms. Smith said she and the Planning Board recommend bringing forth changes in work sessions with Council. Councillor Morley asked if Covington Street is zoned MDR. Ms. Smith said the parking lot is zoned RB.

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Councillor Stevenson asked for a timeline for these changes to be made. Ms. Smith said these changes will require at least three work sessions and public meetings. Mayor Nelson asked if a work session can be held without the Planning Board. Mayor Nelson said we have to look at the City as a whole, give input and move forward. Councillor Hosmer asked how this process will hinder Mr. Basta who has people interested in his property. Councillor Skamperle said we are trying to develop a long term policy but asked if we can move on Mr. Basta's request sooner. Councillor Hosmer said Mr. Basta's property abuts to MDR so we are not spot zoning. Ms. Smith explained that the Planning Board has recommended that we keep this property zoned RB and develop a progressive policy. Ms. Smith explained we need to schedule and hold work sessions with the Planning Board and Council to proceed.

c) Signage and Parking - Ms. Smith said Scott Thornhill, Director of Public Works has reviewed our current handicapped parking and made recommendations. Ms. Smith added that United Helpers has requested to use electronic signage at the previous Basta Flower Shop. Ms. Smith explained our Municipal Code is silent on electronic signage but that previous requests were approved at the discretion of the City Planner. Ms. Smith explained we have illumination standards with respect to flashing and she recommends adopting signage standards. Ms. Smith said she will include parking and signage in the work sessions.

Mayor Nelson said there was a need for Executive Session to discuss proposed, pending or current litigation, and Councillor Morley seconded the motion.

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