

CITY COUNCIL MEETING

March 27, 2017

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

PRESENT: Mayor Ashley, Councillors Davis,
Mitchell, Price, Skamperle and Stevenson

ABSENT: Councillor Morley

PRESENTATION

1. Director of Planning and Development Andrea Smith provided Council with the annual report for the Planning and Development Department. (A copy of her presentation follows these minutes.)

PUBLIC HEARING

1. A public hearing regarding a Local Law to amend the City Charter, Article VIII, §C-29 entitled Department of Planning and Development; Board of Planning and Development was held. No one being present to speak, the hearing was declared closed.

2. A public hearing regarding a proposed ordinance amending Chapter 221, entitled 'Zoning', Article XVII entitled 'Administration and Enforcement', §221-82 "Planning Board" of the Code of the City of Ogdensburg. No one being present to speak, the hearing was declared closed.

PROCLAMATION

1. Mayor Ashley invited Ogdensburg Public Library Director Penny Kerfien to the front of Council Chambers and read a proclamation for National Library Week, April 10-16, 2017. (A copy of the proclamation follows these minutes.)

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2. Mayor Ashley read a proclamation for Fair Housing Month. Councillor Stevenson accepted the proclamation on behalf of the St. Lawrence County Housing Council. (A copy of the proclamation follows these minutes.)

CORRESPONDENCE

1. City Clerk Kathleen Bouchard read a letter from Virginia Demers regarding the new DPW spring and fall yard waste pickup policy. (A copy of the letter follows these minutes.)

CONSENT AGENDA

Mayor Ashley moved that the claims as enumerated in General Fund Warrant #05-2017 in the amount of \$382,771.20 and Library Fund Warrant #05-2017 in the amount of \$20,352.58 and Capital Fund Warrant #05-2017 in the amount of \$0.00 and Community Development Fund Warrant #05-2017 in the amount of \$0.00 and Community Renewal Fund Warrant #05-2017 in the amount of \$19,465.00 as audited, be and the same are ordered paid and Councillor Skamperle seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Councillor Stevenson moved a Local Law to amend the Ogdensburg City Charter, Article VIII §C-29 entitled Department of Planning and Development; Board of Planning and Development, and Councillor Mitchell seconded to wit:

LOCAL LAW #1 of 2017
AMENDING THE OGDENSBURG CITY CHARTER AS REQUESTED
BY THE OGDENSBURG CITY COUNCIL

A Local Law providing for changes in the Ogdensburg City Charter as requested by the Ogdensburg Planning and Development Board.

Be it enacted by the City Council of the City of Ogdensburg as follows:

SECTION 1. Article VIII, §C-29. of the City Charter of the City of Ogdensburg entitled Department of Planning and Development; Board of Planning and Development, be and the same is amended as follows:

There shall be a Board of Planning and Development, which shall be constituted and empowered as a Planning Board pursuant to General City Law, Article 3. The Board shall consist of five members appointed by the Mayor and City Council for such terms as are specified in § 27 of the General City Law. The Board shall make recommendations to the City Manager and the City Council on all matters affecting the physical development of the City, shall be consulted on the Comprehensive Plan and the implementation thereof and shall exercise all other responsibilities as may be provided by law.

SECTION 2. Effective Date: This local law shall take effect immediately upon filing in the office of the New York State Secretary of State.

The vote was:

CARRIED, AYES ALL

2. Councillor Skamperle moved an ordinance to amend Chapter 221, entitled 'Zoning', Article XVII entitled 'Administration and Enforcement', §221-82 "Planning Board" of the Code of the City of Ogdensburg, and Councillor Price seconded to wit:

ORDINANCE #5 of 2017

ORDINANCE AMENDING CHAPTER 221 ENTITLED ZONING
OF THE MUNICIPAL CODE OF THE CITY OF OGDENSBURG

BE IT ORDAINED AND ENACTED by the City Council of the City of Ogdensburg, New York, as follows:

ITEM ONE: That Chapter 221, entitled ‘Zoning’, Article XVII entitled ‘Administration and Enforcement’, §221-82 “Planning Board” is hereby amended as follows:

§ 221-82. Planning Board.

A. Authority. As authorized by § 27 of the General City Law, there shall be a Planning Board consisting of five members, holding staggered three-year terms, appointed by the Mayor and City Council. Additionally, pursuant to § 27(16) of the General City Law, one alternate member may be appointed by the Mayor and City Council to substitute for a regular member of the Planning Board in the event that a regular member is unable to participate in matters before the Planning Board because of a conflict of interest, illness or other absence.

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 Stevenson questioned the use of the word “may” versus “shall” in the proposed ordinance with respect to alternate members. Director of Planning and Development Andrea Smith said an alternate is not a State requirement, but it is a great benefit if available. Councillor Price said leaving the language as “may” permits the Planner to seek an alternate when necessary. Councillor Stevenson said that could result in delays, and there is no harm if an alternate is appointed and only used when needed. Ms. Smith explained alternates are appointed in the same manner as the other board members.

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Councillor Skamperle asked how many times annually a meeting has to be cancelled because not enough members are able to attend. Ms. Smith said approximately two times per year. Councillor Skamperle suggested leaving the number of alternate members at two so there would never be a reason to cancel. Ms. Smith explained the role of the alternate members and said she does not see any benefit of having two alternates for this board.

Councillor Stevenson made a motion to amend the ordinance to change “one alternate member may be appointed” to “one alternate member shall be appointed”, and Councillor Mitchell seconded the motion.

The vote to amend the ordinance was:

AYES: Councillors Mitchell, Price and Stevenson

NAYS: Mayor Ashley and Councillors Davis and Skamperle

DEFEATED, 3 TO 3

The vote on the original ordinance was:

CARRIED, AYES ALL

3. Councillor Mitchell moved a resolution calling for public notice and a public hearing on a proposed ordinance to license municipal property in the Greenbelt to M&T’s Concession operated by Mary Jo and Tom Montana, and Councillor Stevenson seconded to wit:

A RESOLUTION CALLING FOR A PUBLIC NOTICE AND PUBLIC HEARING REGARDING THE LICENSE OF CITY-OWNED PROPERTY IN THE CITY OF OGDENSBURG

WHEREAS, the City of Ogdensburg has received interest from a qualified vendor, M&T’s Concession operated by Mary Jo and Tom Montana, to operate a seasonal food and beverage concession in the Greenbelt

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WHEREAS, the City Council hereby accepts the proposal of M&T's Concession to operate a concession located in the Greenbelt, subject to approval of license;

WHEREAS, the City Charter mandates that a License be finalized only after giving public notice in a local newspaper and conducting a public hearing;

BE IT FURTHER RESOLVED, that the City Council shall hold a public hearing on the 10th day of April, 2017 at 7:00 p.m., at the Council Chambers in the City of Ogdensburg, New York, regarding this proposed License of City-owned property; and

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing 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 date of a notice setting forth the time and place and describing the proposed ordinance in summary form.

The vote was:

CARRIED, AYES ALL

4. Councillor Price moved a resolution to authorize the City Manager to sign a SCADA (Supervisory Control and Data Acquisition) Services Agreement with Development Authority of the North Country (DANC) for the Wastewater System Improvement Project, at a cost of \$100,000., pending review and approval of the City Attorney, and Councillor Stevenson seconded to wit:

**RESOLUTION TO AUTHORIZE THE CITY MANAGER TO SIGN
A SCADA SERVICES AGREEMENT BETWEEN THE CITY AND DANC
FOR THE WASTEWATER SYSTEM IMPROVEMENTS PROJECT**

WHEREAS, the City and the Development Authority of the North Country (DANC), wish to enter into a SCADA (Supervisory Control and Data Acquisition) Services Agreement for the WWTP Capital Improvement Project; and

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NOW, THEREFORE, BE IT RESOLVED that the City Manager, Sarah Purdy, is hereby authorized and directed to sign the attached SCADA Services Agreement, at a cost of \$100,000., pending review and approval of the City Attorney.

BE IT FURTHER RESOLVED that the funds to pay for this work will be appropriated from Wastewater System Capital Improvements Project.

Mayor Ashley asked if this service is outside of the original contract signed with DANC. City Manager Sarah Purdy said yes. Ms. Purdy explained this management services contract addresses SCADA, and the plant does not have the capabilities to run SCADA in the current state.

The vote was:

CARRIED, AYES ALL

5. Mayor Ashley moved a resolution to authorize the City Manager to sign a Technical Services Agreement with Development Authority of the North Country (DANC) for the Wastewater System Improvement Project, at a cost of \$80,000., pending review and approval of the City Attorney, and Councillor Mitchell seconded to wit:

RESOLUTION TO AUTHORIZE THE CITY MANAGER TO SIGN
A TECHNICAL SERVICES AGREEMENT BETWEEN THE CITY AND DANC
FOR THE WASTEWATER SYSTEM IMPROVEMENTS PROJECT

WHEREAS, the City and the Development Authority of the North Country (DANC), wish to enter into a Technical Services Agreement for the WWTP Capital Improvement Project; and

NOW, THEREFORE, BE IT RESOLVED that the City Manager, Sarah Purdy, is hereby authorized and directed to sign the attached Technical Services Agreement, at a cost of \$80,000., pending review and approval of the City Attorney.

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BE IT FURTHER RESOLVED that the funds to pay for this work will be appropriated from Wastewater System Capital Improvements Project.

City Manager Sarah Purdy explained this agreement is for the actual capital construction project management. Councillor Skamperle said he is surprised Director of Public Works Scott Thornhill cannot do this work. Ms. Purdy explained it will be an intense project over a short period of time and involves new equipment and technology. Mr. Thornhill explained DANC will manage the funding, and Director of Planning and Development Andrea Smith will write the grant. Mr. Thornhill said GHD will also provide resources and recommendations. Mr. Thornhill said this will be similar to the Paterson Street project where he was a go between and could not be at the site all the time. Councillor Skamperle asked if the teams at DANC will be working with Mr. Thornhill, Ms. Smith and the contractors. Mr. Thornhill said yes, and DANC will help us make the best decisions. Ms. Purdy explained she and Mr. Thornhill discussed the expectations of the interface between DANC and GHD because this project goes beyond City staff's level of expertise.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Mayor Ashley complimented Mr. Thornhill and the Department of Public Works on the demolition of the old Garn's building on Main Street.

NEW BUSINESS

1. Councillor Stevenson said the St. Lawrence County Task Force hosted a booth at the Expo in honor of Fair Housing Month. Councillor Stevenson said it was very successful and visited by many people.

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Mayor Ashley said there was a need for Executive Session for an evaluation of personnel, and Councillor Price 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.