

Ogdensburg Charter Review Commission

July 11, 2017

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Chairman Fred Bean called the meeting of the Ogdensburg Charter Review Commission to order and asked the Secretary to call the roll:

Present: Chairman Fred Bean, Commissioners Storm Cilley, Kevin Kendall, Sean McNamara, Sean O'Brien, Laura Pearson, Christopher Pitcher

Absent: Commissioner Sean O'Brien

Excused: Commissioners Scott McRoberts, Laura Pearson and Christopher Pitcher

City Staff: Sarah Purdy, City Manager
Kathleen Bouchard, City Clerk
Cathy Jock, Deputy City Clerk
Coralee Barrett, City Manager's Secretary
Michael Farrell, Fire Chief
Andrew Kennedy, Police Chief
Andrea Smith, Director of Planning and Development
Matthew Curatolo, Recreation Director
Suzanne Arquette, City Assessor

Guests: Mayor Wayne Ashley
Councillor Jennifer Stevenson

APPROVAL OF PREVIOUS MINUTES

1. Commissioner McNamara moved to approve the June 22, 2017 Charter Review Commission meeting minutes and Commissioner Basta seconded the motion.

The vote was:

CARRIED, AYES ALL

COMMUNICATION

1. Secretary Kathleen Bouchard said she received emails from Commissioners McRoberts, Pearson and Pitcher that they were unable to attend tonight's meeting.

PUBLIC COMMENT

1. Michael Edgar, 920 Ogden Street, asked how Municipal Code Section 189-9 regarding sidewalk maintenance should be interpreted. Commissioner Kendall advised Mr. Edgar the Municipal Code is separate from the Charter, and he should bring his concerns to City Council.

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OLD BUSINESS

1. Commissioner Basta questioned if a motion should be made to accept the recommendations made to date. Chairman Bean said Secretary Kathleen Bouchard provided Commission members with a fresh copy of the Charter and a list of recommendations proposed to date.

Commissioner Basta made a motion to accept Suggestion #1, regarding Article II Election Districts §C-4 Districts established; boundaries, and Commissioner McNamara seconded the motion.

Commissioner Cilley questioned if the Charter should simply reflect election districts as defined by the St. Lawrence County Board of Elections, but there was a consensus that the districts should be specifically outlined in the Charter.

The vote was:

CARRIED, AYES ALL

2. Commissioner Kendall made a motion to accept Suggestion #2, regarding Article III- City Council and Mayor, §C-13(C) Duties of the City Attorney, and Article IV- City Manager, §C-19 Powers and Duties (7), and Commissioner Wilson seconded the motion.

Commissioner Loffler questioned how much the City Attorney is paid. City Manager Sarah Purdy said he is paid by the hour. Commissioner Loffler questioned if there are any duties listed in Ms. Purdy's contract that are not included in the Charter. Ms. Purdy explained her contract only deals with the term and compensation.

The vote was:

CARRIED, AYES ALL

3. Commissioner Basta made a motion to accept Suggestion #3 regarding §C-23 Administrative Code and Commissioner Kendall seconded the motion.

Commissioner Cilley questioned what date should be entered. Secretary Kathleen Bouchard said the last Charter Review Commission chose the date to insert. Commissioner Kendall recommended "within two years of Charter ratification" rather than a specific date. Chairman Bean recommended "within two years of the Charter Review Commission's recommendations being presented to Council". Chairman Bean questioned how long it took for Council to move on the last Charter Review Commission's recommendations. Secretary Kathleen Bouchard said City Council acted on the suggestions within a month.

Commissioner Kendall made a motion to amend the motion on the floor to reflect "within two years of adoption of the amended City Charter, and Commissioner Loffler seconded the motion to amend.

The vote was:

CARRIED, AYES ALL

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4. Chairman Bean said the Director of Planning and Development Andrea Smith added her duties to the Department of Planning and Development section of the Charter. Commissioner Basta asked if she was satisfied with these changes, and Ms. Smith said yes. Commissioner Cilley asked if the job specifications listed were the same requirements advertised for her position, and Ms. Smith said yes.

Commissioner Basta made a motion to accept Suggestion #4 regarding Article VIII, Department of Planning and Development, §C-28 Department established; head, (B) Minimum qualifications and (C) Duties of the Director of Planning and Development, and Commissioner Kendall seconded the motion.

The vote was:

CARRIED, AYES ALL

5. Commissioner Cilley made a motion to accept Suggestion #4 regarding Article VIII Department of Planning and Development, §C-32 Board of Appeals, and Commissioner Loffler seconded the motion.

The vote was:

CARRIED, AYES ALL

6. Commissioner McNamara made a motion to accept Suggestion #5 regarding Article XII Department of Fire, §C-42 Department established; head, add (A) (B) & (C), and Commissioner Kendall seconded the motion.

Commissioner Loffler questioned if Fire Chief Michael Farrell's job specification includes overseeing Mark Jacobs. Chief Farrell said yes, and also Cindy Ghize, the secretary. Commissioner Basta questioned if item C6 should include the word "all". After much discussion, there was a consensus to leave item C6 as written.

The vote was:

CARRIED, AYES ALL

7. Commissioner Basta made a motion to accept Suggestion #6, regarding Article XIII- Depart of Assessments, §C-45 Department established; head, (C) Duties of the City Assessor, and Commissioner McNamara seconded the motion.

The vote was:

CARRIED, AYES ALL

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8. Commissioner Loffler made a motion to accept Suggestion #6, regarding Article XIII- Depart of Assessments, add §C-46 Board of Assessment and Review, and Commissioner Cilley seconded the motion.

Commissioner Basta asked why this Board is being added to the Charter. Secretary Kathleen Bouchard explained the Charter Review Commission requested that all Boards and Commissions, if not currently listed in Charter, be added under the appropriate section of the Charter.

The vote was:

CARRIED, AYES ALL

9. Councillor Stevenson asked to speak regarding the Arts Council. (This was Suggestion 7, § C-49. Art's Council)

Councillor Stevenson explained she attended the Arts Council meetings years ago and is disheartened to learn that it has fallen to the wayside. Councillor Stevenson suggested we try to get the Arts Council to become more active rather than delete it. Commissioner Kendall questioned who the members of the Arts Council are, and Councillor Stevenson said she could only remember Sally Palao and Cheryl Seymour at the moment. Commissioner Wilson asked who would monitor the Arts Council if the Commission decided to keep it active. Councillor Stevenson said she believes Council should receive quarterly updates on all Boards and Committees. Chairman Bean said he does not believe the Arts Council should be eliminated.

Commissioner McNamara asked why the Tree Commission is not part of the Pride and Beautification Commission. Recreation Director Matthew Curatolo said that the City is a Tree City USA and to maintain that status we must have a separate Tree Commission. Commissioner McNamara questioned if only the Pride and Beautification Commission receives direct funding from the City. Mr. Curatolo said yes, the funds used by the Tree Commission are included in the Department of Public Works budget.

Chairman Bean made motion to leave the Arts Council in the Charter, and Commissioner Kendall seconded the motion.

The vote was:

CARRIED, AYES ALL

10. Chairman Bean made a motion to accept Suggestion #7 regarding Article XIV - Department of Parks and Recreation, §C-49, Pride & Beautification Commission and §C-51 Tree Commission, and Commissioner Loffler seconded the motion.

The vote was:

CARRIED, AYES ALL

* It was noted that §C-49, Pride & Beautification Commission and §C-51 Tree Commission, will be renumbered in the Charter.

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11. Commissioner Basta made a motion to accept Suggestion #8, regarding Article XVII - Fiscal Policies, §C-61 Acceptance of preliminary budget modifications, and Chairman Bean seconded the motion.

Commissioner Basta asked why this change was recommended. City Manager Sarah Purdy said it is easier for the public to find the City Clerk.

The vote was:

CARRIED, AYES ALL

12. Commissioner Cilley made a motion to accept Suggestion #8, regarding Article XVII - Fiscal Policies, §C-71 Extension of taxes, and Chairman Bean seconded the motion.

The vote was:

CARRIED, AYES ALL

13. Commissioner Basta made a motion to accept Suggestion #8, regarding Article XVII - Fiscal Policies, §C-72 Payment of taxes, and Commissioner Kendall seconded the motion.

Commissioner Basta asked for an explanation of the change. City Manager Sarah Purdy said the annual statement mailed to taxpayers does not normally reflect two equal installments.

The vote was:

CARRIED, AYES ALL

14. Chairman Bean made a motion to accept Suggestion #9, regarding Article XIX - Transitional Provisions, §C-100 Charter Review Commission, and Commissioner Loffler seconded the motion.

Commissioner McNamara said he is concerned about the length of time between Charter reviews and suggested putting a mechanism in place for more frequent reviews. Commissioner Wilson agreed and suggested every 5 to 7 years. Commissioner Cilley said he is not opposed to the Charter being reviewed every ten years, and he is not in favor of shortening the length of time between reviews. Commissioner Cilley said Council can amend the Charter any time it is deemed necessary. Secretary Kathleen Bouchard explained the previous Charter Review Commission added a time line to insure a Charter review every ten years. Commissioner Kendall asked for confirmation that Council can amend the Charter at any time. Mrs. Bouchard said yes.

Commissioner Cilley made a motion to amend the motion to include the date of 12/31/2027. This motion died for the lack of a second. Commissioner McNamara said inserting that specific date or simply stating “ten years” is the same. Chairman Bean suggested leaving the review time period at ten years. Commissioners Basta and Kendall agreed.

Chairman Bean made a motion to insert “ten years” into Suggestion #9, regarding Article XIX - Transitional Provisions, §C-100 Charter Review Commission, and Commissioner Loffler seconded the motion.

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The vote was:

AYES: Chairman Bean, Commissioners Basta, Cilley, Kendall, Loffler, Putman

NAYS: Commissioners McNamara and Wilson

DEFEATED, 6 TO 2

Commissioner Wilson said there have been Committees that became inactive and language in the Charter which needed to be corrected. Chairman Bean suggested that department heads should keep better track of their Boards and Committees.

Commissioner Wilson made a motion to insert “seven years” into Suggestion #9, regarding Article XIX - Transitional Provisions, §C-100 Charter Review Commission, and Commissioner McNamara seconded the motion.

The vote was:

AYES: Commissioners Basta, Loffler, McNamara, Putman, Wilson

NAYS: Chairman Bean, Commissioners Cilley and Kendall

DEFEATED, 5 TO 3

Chairman Bean made a motion to table this matter until the full Charter Review Commission is in attendance, and Commissioner Loffler seconded the motion.

The vote was:

CARRIED, AYES ALL

15. Commissioner Loffler asked for feedback from Mayor Ashley and Councillor Stevenson regarding term limits for Mayor and Council. Mayor Ashley said he believes there should be term limits so Council members do not become stagnant. Councillor Stevenson disagreed and explained candidates are difficult to find. Councillor Stevenson said the public will vote to remove members they believe have become stagnant.

16. Chairman Bean said he believes Council members should be elected by election districts rather than at large. Councillor Stevenson said most people who came to a recent City Council meeting with brush pickup concerns lived within two blocks of a Council member. Councillor Stevenson said she believes our community is too small to elect by election district. Commissioner Cilley said when he was a Councillor he received more complaints from people outside of his own neighborhood. Mayor Ashley agreed with Councillor Stevenson. Commissioner Wilson said he believes Council members represent the whole City and agreed with Commissioner Cilley, Mayor Ashley and Councillor Stevenson.

NEW BUSINESS

1. Commissioner Cilley said it seems there are very few issues left for the Charter Review Commission to discuss, and he hopes to see more people present at the next meeting.

2. There was a consensus to hold the next Charter Review Commission meeting on August 8, 2017 at 6pm at City Hall.

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