

SPECIAL CITY COUNCIL MEETING

May 18, 2021

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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 the draft Community Development Plan was held. The following people spoke:

a) Fort la Presentation Association Vice President Fred Hanss read a prepared statement. (A copy of his statement follows these minutes.)

b) Jennifer Stevenson said there have been many development plans for the City over the past decades, and this plan seems to be 70% the same as previous versions. Ms. Stevenson said previous administrations have tried to achieve similar goals and questioned how this Council plans to achieve the goals described in this plan. Ms. Stevenson said the newest members of Council have been in office for 503 days and questioned what has been done to move the City forward during that time.

c) Michael Tooley read a prepared statement. (A copy of his statement follows these minutes.)

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

2. A public hearing regarding an ordinance to license municipal property at the Dobisky Visitors' Center to Matthew Rose was held. No one being present to speak, the hearing was declared closed.

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3. A public hearing regarding an ordinance to provide for the sale of City-owned property at public auction was held. No one being present to speak, the hearing was declared closed.

ITEMS FOR COUNCIL ACTION

1. Councillor Skamperle moved an ordinance to license municipal property at the Dobisky Visitors' Center to Matthew Rose, and Mayor Skelly seconded to wit:

ORDINANCE #4 OF 2021
AN ORDINANCE TO AUTHORIZE A LICENSE 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 License of municipal property at the Dobisky Visitors Center to Matthew Rose.

ITEM TWO: The City Manager has presented the attached proposed agreement to License space at the Dobisky Visitors Center.

ITEM THREE: The City Manager is hereby authorized to execute the attached License 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 take effect immediately.

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Councillor Rishe questioned the term and rate of the agreement. City Manager Stephen Jellie said he is proposing \$250 per month with a security deposit. Mr. Jellie explained this was the only proposal received by the City, and he would like to see it move forward. Mr. Jellie said the agreement would be valid through the end of the year, and the licensee intends to stay open all year. Mr. Jellie explained the contract could be renewed for 2022 with the licensee having the right of first refusal. Mr. Jellie said the licensee has good credentials and a good business plan. Mayor Skelly said it is an opportunity for the building to be more fully utilized, and it will be great for residents, boaters and visitors. Councillor Rishe said maybe next year the City could look at privatizing the marina. Councillor Kennedy asked if there is a separate entrance to the concession area, and Mr. Jellie said yes. Councillor Skamperle asked if the licensee would pay his own utilities, and Mr. Jellie said yes. Councillor Kennedy asked if the utilities will be put in the licensee's name or if he will reimburse the City. Mr. Jellie said the utilities could be put in the licensee's name because there is separate service to the concession area. Councillor Powers asked if the City has any obligation to get the concession area and equipment up and running. Mr. Jellie explained we gave the facility a thorough cleaning, and the licensee will identify the equipment that he does not need. Mr. Jellie said ideally, we would like to simply lease the square footage, but we have gone through the equipment and will maintain it for this year. Mr. Jellie said the next lease will contain a clause that the licensee will maintain the equipment. Councillor Skamperle said in the past there was a minor issue with trash removal, and he would like to make sure it will be cleaned up. Mr. Jellie said he plans to bring a proposed lease forward for Council consideration regarding the Chamber of Commerce using space at the Dobisky Center so there will be a lot of presence at the facility. Councillor Kennedy asked how much the deposit amount will be, and Mr. Jellie said one month's rent. Councillor Powers asked if the licensee is satisfied with the amount of signage available. Mr. Jellie said the licensee fully understands, and we are hoping to add a sign to a pre-existing pole. Councillor Powers asked if the licensee intends to apply for an alcohol license, and Mr. Jellie said yes.

The vote was:

CARRIED, AYES ALL

2. Councillor Skamperle moved an ordinance to provide for the sale of City-owned property at public auction, and Mayor Skelly seconded to wit:

ORDINANCE #5 OF 2021
AN ORDINANCE TO OFFER CITY-OWNED PROPERTY FOR SALE AT
PUBLIC AUCTION

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

SECTION ONE:

The following property shall be offered for sale at public auction by the City of Ogdensburg:

TAX MAP #	LOCATION	MINIMUM PURCHASE PRICE	RESTRICTIONS
TBD	Former paper Hayward Street	\$1,000 (includes St. Lawrence County filing fees)	Nonconforming parcel, Single-Family Residential zoning district

SECTION TWO: The City does not guarantee clear property title in the transfer of property by auction and conveyance will be made by Quit Claim Deed. The City Council reserves the right to reject any or all bids or to withdraw any parcel from sale.

SECTION THREE: This ordinance shall become effective ten days after publication.

Councillor Rishe asked if the filing fees are based on the purchase price. Director of Planning and Development Andrea Smith said the taxes are based on the purchase price, and there are different filing fees for each form. Councillor Rishe asked Ms. Smith if she knew the fees, and Ms. Smith explained one form is \$250. Councillor Rishe questioned if the filing fees will be deducted from the purchase price, and Ms. Smith said yes. Councillor Rishe suggested the filing fees not be included in the future.

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Ms. Smith said the buyers paid the filing fees for the parcels that were recently auctioned. Ms. Smith explained in this instance the survey fee had already been paid when another portion of this paper street was sold. Ms. Smith said the sale price was reduced on this parcel because the City already recouped some of the fees. Ms. Smith said the City will receive approximately \$500 on the sale of this parcel which is similar to most of the parcels sold at the recent auction. Mayor Skelly said he is happy the parcel will be on the tax roll.

The vote was:

CARRIED, AYES ALL

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

Fort La Présentation Association
City Council Comments, May 18, 2021 Public Hearing

Good evening, my name is Fred Hanss, I'm the Vice President of the Fort La Présentation Association. The Association applauds the City's efforts to prepare a strategic plan to guide its economic and community revitalization efforts. The Association appreciates the City recognizing the importance of reconstructing an accurate replica of Fort de la Présentation to the community's economic recovery and it looks forward to partnering with the City toward that end.

In its draft plan, the City has proposed to make land owned by the Association located on the west side of Albany Ave. available for commercial redevelopment. While the Association generally supports the redevelopment of vacant land for new uses, this site is not suitable for re-development; moreover, it is not for sale. Notwithstanding the legal complications for a not-for-profit organization to sell real property, the property was the site of petroleum storage tanks from the 1920's through the 1980's. Environmental conditions on the site severely limits its potential for redevelopment.

The Association accepted the donation of 2 noncontiguous parcels on Albany Ave. from the ExxonMobile Oil Company in 2015. The deed that the Association received noted that the property was included in a petroleum spill identified as DEC Spill No. 01013685. ExxonMobil Oil Company and NYS have entered into a settlement agreement on the spill. As a result of petroleum contamination, ExxonMobil inserted deed covenants restricting how the parcels may be used or redeveloped in the future. Prohibited uses include:

1. No use of groundwater or construction of sub-surface structures.
2. No residential uses of any kind.
3. No commercial or industrial uses of any kind.
4. No agricultural uses of any kind.

The deed to the property permits the Association to use the parcels for slab -on-grade parking, unpaved parking areas, walking trails, driveways, landscaping, and a pre-built 16' x 32' storage building (constructed with a slab-on-grade with a vapor barrier liner.

Given this, the Association requests that the City remove any reference to the parcels as being available or suitable for redevelopment. Thank you for your attention.

Respectfully submitted,

Frederick J. Hanss
1st Vice President
Fort La Présentation Association

My name is Michael Tooley, I live at 214 Hamilton Street here in the city, and I appreciate the opportunity to share my concerns about the draft Community Development Plan under review.

I again thank Councillor Rishe for his work in developing this proposed Community Development Plan. I am sure it took a lot of work and research to complete it. Overall, I support most of the goals included in this Plan.

I suggest before the final draft of the Plan is presented to you for action that you will ask someone to proofread it. In my reading I came across a few grammatical errors and a couple of spelling errors, so I think someone who is reading the Plan for the English content rather than the informational content will pick up on such errors.

I think it will be important for City Council, either prior to acting on the Plan or soon thereafter, to establish priorities for these goals and action items. Perhaps you grade each section to rank them in terms of priority, perhaps you identify a few goals, perhaps five to ten, as priorities. By doing this, you give direction to the City Manager so he or she can allocate time and resources based on priorities you have established.

In page 5 comments are offered about the Regional Economic Development Council. The stated goal is that the City of Ogdensburg should have representation on this Council. A lofty goal, no objection to pursuing a seat on this Council, but I suggest including language that encourages representation by City volunteers to serve in one or more of the Council's work groups that help and identify their strategies. These work groups allow for greater involvement of regional stakeholders, and local government representatives are encouraged to participate. I suggest City Council first consider participation in REDC work groups as a starting point, and over time develop our resume that eventually could lead to a seat on this Council.

Page 11 states the goal of a city beach in the Greenbelt. I suggest amending goal #1 to read: "The beach and the pool would be open from July 1 through Labor Day, weather permitting." I think the idea of having a City Beach open every other day is not a wise option. Potentially the beach could be closed on sunny days, scheduled to open on rainy days but it will not open. The idea of having a City Beach open only one day each weekend in the summer does not make sense to me.

Page 15 references the St. Lawrence Psychiatric Center. Regarding the application to NYS Parks, Recreation and Historic Preservation Offices to list SLPC buildings with the NYS and Federal Registry of Historic Places, the comment reads in part, "This agency has to date ignored this request." I suggest changing the phrase from an opinion to a fact, perhaps by stating, "the agency to date has not responded to this request."

Page 18, again the City Beach: The statement, "The cost of opening a beach can be minimal" I think should be removed, based on the resolution recently approved by Council which establishes a budget of up to \$50,000 this year to operate a beach. To me, \$50,000 is not minimal.

Page 24, K-12 Education: I originally planned to recite a lot of statistics about finances at the Ogdensburg City School District to get to my discussion point, but in the interest of time I will go to a bullet point format.

- The school district's tax rate has been relatively flat over the past five years. This past year a homeowner with a home valued at \$50,000 paid \$11 more in school tax after STAR than they paid four years ago, so I think the statement that the school tax rate continues to climb is accurate.
- Through the STAR program NYS pays approximately \$2 million, or 18% of the school's total tax levy of \$10.5 million.
- The % of the tax levy financing Ogdensburg school's budget is lower than the percentage paid in Canton, Potsdam and Massena. Ogdensburg is 22%, Massena 26%, Canton 32% and Potsdam 40%.
- In 2018-19, the latest data available, the average spend per student in Ogdensburg is within \$150 of the average spend for schools of similar size in NYS. This is despite the fact that the average spend in Ogdensburg to educate and provide services to students with disabilities \$33,414, almost \$4,700 higher than the average spend for similar size schools in NYS. This high number of local students identified with special needs is likely a factor in student standardized test scores as all students take these tests.

I question the current language in the K-12 section. I do not think the question posed regarding test scores and graduation rate is necessary. I suggest the following might be a goal in this section: "The City encourages the Ogdensburg City School District to continue to provide a well-rounded educational experience to our children, while maintaining a stable property tax rate that voters in the school district will continue to support. By approving the school district's budget each year voters in the school district will allow the school to continue to make its facilities available to all in our community." I think a goal stated with a positive attitude is better than one stated with a negative attitude.

Page 29, the tax rate, I recommend deleting goal #4 about school district taxes, since recent history over the past 5 years does not reflect escalating school taxes.