

At 5:00 pm a Motion to enter Executive Session to discuss a property acquisition for which we would need and Executive Session to not reveal the nature of that.

By Councilor McFarlin; Seconded by Councilor Kelly

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser

(All voted in the affirmative)

Returned at 5:19 pm

Mayor Read stated we returned from Executive Session discussed land acquisition which public discussion of would affect its value.

No decisions were made in Executive Session.

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

April 5, 2018

5:30 P.M.

MINUTES

Pledge of Allegiance

(RC)

Present: Mayor Colin Read, Councilors Rachelle Armstrong (W1) [*participated via Skype*], Mike Kelly (W2), Dale Dowdle (W3), Peter Ensel (W4) [*participated via Skype*], Patrick McFarlin (W5), Joshua Kretser (W6)

Absent: None

MAYOR’S COMMENTS: looking forward to items on the agenda, renewing parklets, hope council allows him some latitude and take care of some of the hires and let market forces determine what we can get some of these talented individuals for and allow the city to save in expenses in doing so. I know this may be an interim step and encourage you all to keep doing your work on the management compensation plan you’ve been working on for about a year now. Appreciate this gesture today to start moving forward a little bit and act in a way that won’t affect any current managers. Also, you’re completing your determination for one of the elements for the DRI, downtown apartments and store fronts various grants, and public should look forward to those starting soon.

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the Regular Meeting of the Common Council held on March 28, 2018 are approved and placed on file among the public records of the City Clerk’s Office.

By Councilor Kretser; Seconded by Councilor Dowdle
(All in Favor/opposed)

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser
(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending April 4, 2018 in the amount of \$ 97,249.97 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Kelly; Seconded by Councilor Dowdle
(All in Favor/opposed)

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser
(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report from the Building Inspector’s office for the week of March 12 – 29, 2018

- **COUNCILOR/DEPARTMENT CHAIR COMMITTEE REPORTS:**

Governance, Strategy, and City Operations- Chair Councilor Kretser indicated committee met tonight, various department supervisors, spoke about parklets, RFP for Marketing, Disc Golf tournament, awards for DRI grant, all items approved and sent to council for final decision.

City Infrastructure – Chair Councilor Ensel indicated meet next week at 4:30p, will discuss flag pole request, lighting, initial discussion on paving surfaces this year.

Finance and Budget – Chair Councilor Kelly gave an update on Management Compensation package, still work to be done, good meeting with managers and appreciated all of their input. [Further discussion ensued]

Public Safety – Chair Councilor Dowdle indicated they meet in 2 weeks no updates.

Plattsburgh Public Library – Chair Councilor Armstrong indicated nothing to report.

MLD - MLD Board President Councilor McFarlin indicated no meetings, Mayor assembled task force on cryptocurrency mining, very informative hopes moratorium is lifted well before 18 months.

RESOLVED: That the reports as listed are hereby ordered received and any written reports are placed on file among the public records of the City Clerk’s Office.

By Councilor Kelly; Seconded by Councilor McFarlin
(All in Favor/opposed)

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser
(All voted in the affirmative)

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council for the week ending April 6, 2018 in the

amount of \$ 0 are authorized and allowed and the Mayor and City Clerk are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Kelly; Seconded by Councilor Dowdle
(All in Favor/opposed)
Discussion:

Mayor Read mentioned no claims this week because staff member on vacation will catch up next week.

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL ON AGENDA ITEMS ONLY: None

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves Promotions/Events Coordinator to advertise for bids in response to the Downtown Revitalization Project “Request for Proposals for Marketing, Branding and Signage.”

By Councilor McFarlin; Seconded by Councilor Dowdle
Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves Megan Rea to have a “Take Back the Night” event on Saturday, April 21, 2018 from 9:30 pm to 10:00pm. Take Back The Night March (taking place on the streets) from the Angel College Center, down Brinkerhoff Street, to Oak Street, down Court Street, down Margaret Street, onto the sidewalk of Broad Street, meeting back at the Angel College Center. Insurance certificate will be required. This request requires \$1,331.64 in overtime costs for Six City Police Officers.

By Councilor Kretser; Seconded by Councilor Kelly
Discussion:

Councilor Kretser spoke about discussion during committee meeting and that Megan Rea had attended and he explained to her that due to Police overtime costs this request may not be approved and suggested either the group agree to utilize sidewalks only or the council could table item if the group wanted to fund raise to be able to pay for the Police overtime costs. Megan Rea indicated during the committee meeting (she did not stay for this meeting) that they do not want to change request to utilize sidewalks or have item tabled to raise funds they want the request to use streets to stay on agenda and have council vote on that request tonight.

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser
(All voted in the negative)

ACTION TAKEN: Defeated

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves Aleka’s Restaurant LLC located at 103 Margaret Street to use **two** parking spaces in front of their establishment for outdoor dining, seating subject to appropriate licensing by NYS Liquor authority, and subject to City permits issued by Building Inspector. All permits must be received prior to barrier placement.

The City is asked to permit the licensee to use concrete barricades with the City installing and removing at the beginning and end of the season. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The requested dates are May 1, 2018 – September 30, 2018.

Motion to waive reading and move Resolutions C through H:

By Councilor Kretser; Seconded by Councilor Dowdle

(Councilors Armstrong, Kelly, Dowdle, McFarlin and Kretser voted in the affirmative. Councilor Ensel voted in the negative)

Discussion: Yes

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser

(Councilors Armstrong, Kelly, Dowdle, McFarlin and Kretser voted in the affirmative. Councilor Ensel voted in the negative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves The Pepper located at 13 City Hall Place to use **two** parking spaces in front of their establishment for outdoor dining seating, subject to appropriate licensing by NYS Liquor authority, and subject to City permits issued by Building Inspector. All permits must be received prior to barrier placement.

The City is asked to permit the licensee to use concrete barricades. The requested dates are from May 1, 2018 – September 30, 2018.

[See details under Item C]

ACTION TAKEN: Adopted

Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves North Country Food Co-op located at 25 Bridge Street to use **one** parking space in front of their establishment for outdoor dining, seating subject to appropriate licensing by NYS Liquor authority, and subject to City permits issued by Building Inspector. All permits must be received prior to barrier placement.

The City is asked to permit the licensee to install a wooden parklet structure. The requested dates are from May 1, 2018 – September 30, 2018.

[See details under Item C]

ACTION TAKEN: Adopted

Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves Hobie’s Sports Den located at 68 Margaret Street to use **two** parking spaces in front of their establishment for outdoor dining seating, subject to appropriate licensing by NYS Liquor authority, and subject to City permits issued by Building Inspector. All permits must be received prior to barrier placement.

The owners will contact Concrete Supply or similar and are prepared to purchase concrete barriers. The City is asked to permit the licensee to use concrete barricades with the City installing and removing at the beginning and end of the season. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The requested dates are from May 1, 2018 – September 30, 2018.

[See details under Item C]

ACTION TAKEN: Adopted

Follow up Action: None

G. RESOLVED: In accordance with the request therefore the Common Council approves Irises Café & Wine Bar located at 20-22 City Hall Place to use **four** parking spaces in front of their establishment for outdoor dining seating, subject to appropriate licensing by NYS Liquor authority, and subject to City permits issued by Building Inspector. All permits must be received prior to barrier placement.

The City is asked to permit the licensee to use concrete barricades with the City installing and removing at the beginning and end of the season. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The requested dates are from May 1, 2018 – September 30, 2018.

[See details under Item C]

ACTION TAKEN: Adopted

Follow up Action: None

H. RESOLVED: In accordance with the request therefore the Common Council approves Olive Ridley’s located at 37 Court Street to use **two** parking spaces in front of their establishment for outdoor dining seating, subject to appropriate licensing by NYS Liquor authority, and subject to City permits issued by Building Inspector. All permits must be received prior to barrier placement.

The City is asked to permit the licensee to use concrete barricades with the City installing and removing at the beginning and end of the season. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The requested dates are from May 1, 2018 – September 30, 2018.

[See details under Item C]

ACTION TAKEN: Adopted

Follow up Action: None

I. RESOLVED: In accordance with the request therefore the Common Council approves that the local chapter of the Professional Disc Golf Association requests to hold Disc Golf Tournament utilizing Lakeview Park & Soldier Point, MacDonough Park, Riverview Park, Trinity Park on June 16, 2018. All proceeds benefit charity (TBD). Insurance certificate will be required.

By Councilor Kretser; Seconded by Councilor Kelly

Discussion: Yes

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser

(Councilors Armstrong, Kelly, Dowdle, Ensel and Kretser voted in the affirmative. Councilor McFarlin recused himself since his law firm is sponsoring this event)

ACTION TAKEN: Adopted

Follow up Action: None

J. APPROVAL OF ECONOMIC DEVELOPMENT GRANTS FOR WINNING APPLICANTS TO THE DOWNTOWN GRANT PROGRAM (DGP):

RESOLVED: In accordance with the request therefore the Common Council approves grants from the DGP, a constituent project of the larger Downtown Revitalization Initiative (DRI), to the following DGP applicants and projects in the respective amounts listed in the following table:

Name of Applicant(s)	Address of Project	Amount of Grant Awarded
John Carter / Randy Carter	15 Clinton St.	\$100,000
Stephen E. Parker	68 Margaret St.	\$90,000
Randall R. Larkin	9 Bridge St.	\$73,000
Kevin O’Hara	21 Bridge St.	\$100,000
Ben Clark / Ash Clark	26-30 City Hall Pl.	\$90,000
Lei Ni	55-59 Clinton St.	\$90,000
Bridge Side Properties	39 Bridge St.	\$100,000
Bridge Side Properties	33 Bridge St.	\$100,000
Nicolas Charron Geadah	47 Clinton St.	\$76,000

These awards are made in accordance with the findings of the DGP Grant Review Committee, set forth in memos submitted by Matthew Miller, Director of Community Development. A copy of said memos are ordered made a part of the minutes of this meeting. Also, these awards are made pursuant and subject to the terms and conditions of the DGP, including any ancillary grant documents.

Motion to waive reading and move resolution.

By Councilor Kretser; Seconded by Councilor Dowdle

(All voted in the affirmative)

Discussion: Yes

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser

(Councilors Armstrong, Kelly, Dowdle, Ensel and Kretser voted in the affirmative. Councilor McFarlin

recused himself since he was on Grant Review committee)

ACTION TAKEN: Adopted

Follow up Action: None

K. RESOLVED: In accordance with the request therefore the Common Council approves the following Compensation and Benefit policy for Level IV Managers of the City of Plattsburgh:

This Compensation and Benefit Policy for Managers shall replace and supersede all prior resolutions, policies, procedures, salary schedules, promises and agreements containing the terms and conditions of employment of Managers who were hired by the City on or after April 5, 2018 (hereafter referred to as “Level IV Managers”). No City representative shall have the authority to offer any Level IV Manager any benefit not consistent with this policy. This policy may be modified or revoked at any time.

APPLICATION OF THIS POLICY

This Compensation and Benefit Policy for Level IV Managers shall apply to all full time employees of the City of Plattsburgh occupying titles not represented by a recognized or certified employee organization as that term is defined in NYS Civil Service Law Article 14, but only where such Managers were hired by the City on or after April 5, 2018. Such persons are referred to herein as “Level IV Managers.” This Compensation and Benefit Policy shall not apply to part time, seasonal and temporary employees or elected officials or any Manager hired prior to April 4, 2018.

WAGES

There shall be no salary schedule for Level IV Managers and the salary of each Level IV Manager shall be set by the City every year. At the time of a hire of a Level IV Manager, the Mayor shall recommend a specific salary which must be confirmed by the Common Council. Annually, the Mayor shall recommend a salary for each Manager for the following year in his proposed budget. The Common Council shall set the salary of each Manager as part of the budget approval process. There shall be no salary schedule for Level IV Managers and Level IV Managers shall not receive any longevity payments.

OTHER BENEFITS

Other than the Wages section described above, Level IV Managers shall receive the same benefits currently provided to “Level III” Managers as described in the Resolution of the Common Council approved on or about March 22, 1990, including any amendments thereto.

EFFECTIVE DATES

This policy shall be effective immediately for any person who begins serving as a Manager on or after April 5, 2018.

Motion to waive reading and move resolution.

By Councilor Kretser; Seconded by Councilor McFarlin
(All voted in the affirmative)

Discussion:

Councilor Ensel asked to amend resolution to include salary would remain status quo or increase not lowered.

Corporation Counsel Dean Schneller clarified since council controls salaries since they vote on budget etc it is not necessary.

[Further discussion ensued]

Motion to amend section under “Wages” to add word “increase”:

By Councilor Dowdle; Seconded by Councilor Armstrong

Discussion: Yes

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser

(All voted in the affirmative)

WAGES

There shall be no salary schedule for Level IV Managers and the salary of each Level IV Manager shall be set by the City every year. At the time of a hire of a Level IV Manager, the Mayor shall recommend a specific salary which must be confirmed by the Common Council. Annually, the Mayor shall recommend a salary **increase** for each Manager for the following year in his proposed budget. The Common Council shall set the salary of each Manager as part of the budget approval process. There shall be no salary schedule for Level IV Managers and Level IV Managers shall not receive any longevity payments.

Resolution as amended above:

(RC) Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, Kasper, Kretser

(Councilors Armstrong, Kelly, Ensel and McFarlin voted in the affirmative. Councilors Dowdle and Kretser voted in the negative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves two Police Department employees to attend “NYS Police Academy Undercover Operations training” from April 23- 27, 2018 and April 30- May 4, 2018 in Oriskany, NY. The total cost should not exceed \$2,138, as there is no cost for training and will be expensed out of the Asset Forfeiture Fund. This training is important for the investigative operations at the Plattsburgh Police Department.

By Councilor Kelly; Seconded by Councilor Dowdle

Discussion: Yes

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted
Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves Zoning Board member Kathleen Insley to attend “80th Annual New York Planning Federation Conference” in Bolton Landing, NY from April 22-24, 2018 at a cost not to exceed \$354. This training is part of the requirement for Zoning Board members and will be expensed out of Training and Education budget.

By Councilor Kretser; Seconded by Councilor Ensel

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted
Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

Mayor Read added the following:

THE MAYOR HANDS DOWN THE PROVISIONAL PROMOTION OF LEVI RITTER FOR THE POSITION OF POLICE CHIEF EFFECTIVE APRIL 6, 2018, PENDING THE SUCCESSFUL COMPLETION OF THE CIVIL SERVICE EXAMINATION.

(RC) Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted
Follow up Action: None

THE MAYOR HANDS DOWN THE PROMOTION OF BRAD KIROY FOR THE POSITION OF POLICE CAPTAIN EFFECTIVE APRIL 6, 2018.

(RC) Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted
Follow up Action: None

Mayor Read expects that Police Chief Ritter and Captain Kiroy will be very helpful with community policing in our city and combatting growing opioid problem. Looks forward to working with you all and you have both worked as an amazing team together in the past few months, thanked them for their leadership, apologized for the delays and they have both shown exemplary performance already. Public Safety should not be viewed in isolation it involves; Police, Fire, First responders, Building Inspector and he would also like to involve court system and find a way to integrate that. Has formed a Public Safety Council and will invite the court system as well.

Motion to waive rule 4 for initial consideration and move the resolution:

By Councilor Kelly; Seconded by Councilor McFarlin

RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor is authorized to sign a Consulting contract with Desmond Racicot for the Police Department effective April 6, 2018. The total cost will be \$500 per month and will be paid out of the Mayor’s office budget and the position will be under the Mayor’s office.

Mayor Read explained this individual has acted as chair of the Public Safety Council and he can in Public Safety dimension add to what we are trying to accomplish and help.

By Councilor Kelly; Seconded by Councilor McFarlin

Discussion: Yes

(RC)Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser

(Councilors Kelly, Dowdle, Ensel, McFarlin and Kretser voted in the affirmative. Councilor Armstrong abstained)

ACTION TAKEN: Adopted

Follow up Action: None

10. NEW BUSINESS AND COUNCILOR REPORTS: None

11. CLOSING PUBLIC COMMENTS ON ANY TOPIC: None

Motion to Adjourn by Councilor McFarlin; Seconded by Councilor Dowdle

Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser

(All voted in the affirmative)

MEETING ADJOURNED: 6:15 pm