

At 5:16pm a Motion to enter Executive Session to discuss potential sale or lease of a particular city property the publicity of which would substantially affect the value thereof.

By Councilor Armstrong; Seconded by Councilor Ensel

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

(All voted in the affirmative)

Returned at 5:461pm

Mayor Read stated returned from Executive Session discussed potential sale or lease of a particular city property the publicity of which would substantially affect the value thereof.

No action was taken during Executive Session.

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

October 11, 2018

5:30 P.M.

MINUTES

Pledge of Allegiance

(RC)

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

Absent: None

MAYOR'S COMMENTS: Mentioned they had a wonderful DRI related meeting thanked Director of Community Development Matthew Miller and staff, they had stakeholders from all across the state agencies and various consultants working on the DRI and a very productive meeting. And the public will be seeing an awful lot of progress in the near future on the DRI.

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the Regular Meeting of the Common Council held on September 27, 2018 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Kretser; Seconded by Councilor Armstrong
(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 October 10, 2018 in the amount of \$ 443,450.64 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 Ensel
(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 of Fire and Ambulance Responses for the week of September 18 – October 10, 2018
- Minutes from the Governance, Strategy & City Operations Committee held on October 4, 2018

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

Governance, Strategy, and City Operations- Chair Councilor Kretser stated he, Councilor Armstrong and Chamberlain Marks had a conference call with Opengov on strategic planning and budget software, Chamberlain Marks will participate in a demonstration with them. Councilor Armstrong spoke about the Plastic Straw survey results and asked the they be publicized on the website and Facebook and hopes to develop a strategy.

City Infrastructure – Chair Councilor Ensel indicated the committee met earlier tonight, moved agenda items, had a presentation from Professor Kroll and SUNY students on their event request, heard from Public Works on paving projects, discussion on request from SUNY Student Association about “rainbow” crosswalk near SUNY and Councilor McFarlin asked about changing Brinkerhoff and Court to two way.

Finance and Budget – Chair Councilor Kelly indicated next meeting is Thursday.

Public Safety – Chair Councilor Dowdle indicated no updates.

Plattsburgh Public Library – Chair Councilor Armstrong indicated no updates and received budget update earlier tonight from Director de la Chappelle.

MLD - MLD Board President Councilor McFarlin indicated no updates.

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 Ensel; Seconded by Councilor Dowdle
(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 October 12, 2018 in the amount of \$ 538,706.33 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 Armstrong; Seconded by Councilor Kelly
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:

Motion to remove item 7A from the Table.

By Councilor Armstrong; Seconded by Councilor Ensel

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

A. RESOLVED: In accordance with the request therefore the Common Council approves Gary Kroll and his SUNY Plattsburgh Halloween Class to hold a Halloween Festival on Wednesday, October 31, 2018 from 4pm to 11:00pm at Broadway Park located in the East Gate neighborhood. The group will be responsible for providing Portopottys, removing all debris and understand that the city is not responsible for any loss or damage.

By Councilor Kretser; Seconded by Councilor McFarlin
Discussion: Yes

Motion to amend resolution to change end time to 10:00pm

By Councilor Ensel; Seconded by Councilor Kretser
Roll call: Councilors Armstrong, Kelly, Dowdle, Ensel, McFarlin, Kretser
(All voted in the affirmative)

Resolution as amended:

RESOLVED: In accordance with the request therefore the Common Council approves Gary Kroll and his SUNY Plattsburgh Halloween Class to hold a Halloween Festival on Wednesday, October 31, 2018 from 4pm to 10:00pm at Broadway Park located in the East Gate neighborhood. The group will be responsible for providing Portopottys, removing all debris and understand that the city is not responsible for any loss or damage.

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 that the Mayor be authorized to sign a Water Supply Agreement with the Town of Plattsburgh regarding tax map parcel 233.6-1-2.1.

By Councilor Kretser; Seconded by Councilor McFarlin

Discussion: None

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

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves one Police Department employee to attend a Federal Trial from October 28-31, 2018 in Albany, NY. The total cost will be paid for by the DEA and will be no cost to the City of Plattsburgh.

By Councilor Ensel; Seconded by Councilor Armstrong

Discussion: Yes

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:

- 1. Request from Councilors Armstrong, Ensel and Dowdle for consideration of their Managers Compensation package.

Councilor McFarlin introduced

Local Law P-6 OF 2018: Amending Zoning Regulations for Planned Unit Developments in the Central Business District in the City of Plattsburgh. A local law amending Sections 270-20(1) and 270-20(3)(i) of the City Code of the City of Plattsburgh and amending Schedule I, Schedule of Permitted Uses Part B of Chapter 270 the City Code of the City of Plattsburgh.

Public Hearing to be held on Thursday, October 25, 2018 at 5:00 pm in the Common Council Chambers, 41 City Hall Place, Plattsburgh, NY 12901.

Local Law P-7 OF 2018: Providing Zoning Regulations for Commercial Cryptocurrency Mining Operations in the City of Plattsburgh. A local law adding Subsection F to Section 270-24 of the City Code of the City of

Plattsburgh and amending Schedule I, Schedule of Permitted Uses Part B of Chapter 270 the City Code of the City of Plattsburgh.

Public Hearing to be held on Thursday, October 25, 2018 at 5:01 pm in the Common Council Chambers, 41 City Hall Place, Plattsburgh, NY 12901.

10. NEW BUSINESS AND COUNCILOR REPORTS:

Councilor Kelly indicated he and Councilor Kretser were asked to join a committee to study Citywide IT needs, goal to try reduce costs, and all departments are concerned with costs in 2019.

Mayor Read indicated he spoke to Carl and Chad in IT to help as a resources and ask them to help us imagine IT in different ways in the City.

Councilor Armstrong mentioned next week budget discussions with Mayor’s office Recreation, Planner and Director of Community Development.

Councilor Budget discussion continued with Promotions and Special Events Coordinator Tara Powers and Director of Community Development Matthew Miller on Events.

Councilor McFarlin reminded everyone last day to register to vote is tomorrow.

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: 6:18 pm

LOCAL LAW P-6 OF 2018

Introduced by Councilor McFarlin on October 11, 2018 at a Regular Meeting of the Common Council.

Public Hearing to be held on Thursday, October 25, 2018 at 5:00 pm in the Common Council Chambers, 41 City Hall Place, Plattsburgh, NY 12901.

Amending Zoning Regulations for Planned Unit Developments in the Central Business District in the City of Plattsburgh.

A local law amending Sections 270-20(1) and 270-20(3)(i) of the City Code of the City of Plattsburgh and amending Schedule I, Schedule of Permitted Uses Part B of Chapter 270 the City Code of the City of Plattsburgh.

Be it enacted by the Common Council of the City of Plattsburgh as follows:

1. Section 270-20 (1) of the City Code of the City of Plattsburgh will be amended and restated to read as follows:

270-20

1. Definitions. As used in this section "Planned Unit Development" shall mean a subdivision plat or plats, approved pursuant to City Code Chapter 236, in which the minimum lot size requirements, minimum yard requirements, and minimum open space requirements as specified in Schedule II of the Chapter 270 of the City Code, and in which the maximum number of structures and dwelling units on a lot as specified in Section 270-17 of Chapter 270 of the City Code, and any amendments thereto, may be varied to provide an alternative permitted method for the layout, configuration and design of lots, buildings and structures, roads, utility lines and other infrastructure, parks and landscaping in order to preserve the natural and scenic qualities of open lands.
2. The portion of Section 270-20(3)(i) of the City Code of the City of Plattsburgh, which contains the chart entitled "Zone District Minimum Land Area (square feet)" will be amended and restated to read as follows:

270-20(3)(i)...

Zone District Minimum Land Area
(square feet)

R-1	5 acres
R-2	5 acres
B-1	5 acres
B-2	5 acres
C	3 acres
I	5 acres
RC-1	5 acres
RC-2	5 acres
RC-3	10 acres

3. Schedule I, Schedule of Permitted Uses Part B of Chapter 270 the City Code of the City of Plattsburgh will be amended to include "12. Apartments on the first floor of a multi-story building within a Planned Unit Development." to the "Uses Requiring Special Permit" section of the "Central Business" Zoning District.
4. This local law shall take effect immediately upon filing in the office of the New York State Secretary of State.

LOCAL LAW P-7 OF 2018

Introduced by Councilor McFarlin on October 11, 2018 at a Regular Meeting of the Common Council.

Public Hearing to be held on Thursday, October 25, 2018 at 5:01 pm in the Common Council Chambers, 41 City Hall Place, Plattsburgh, NY 12901.

Providing Zoning Regulations for Commercial Cryptocurrency Mining Operations in the City of Plattsburgh.

A local law adding Subsection F to Section 270-24 of the City Code of the City of Plattsburgh and amending Schedule I, Schedule of Permitted Uses Part B of Chapter 270 the City Code of the City of Plattsburgh.

Be it enacted by the Common Council of the City of Plattsburgh as follows:

Section 270-24(F) of the City Code of the City of Plattsburgh will be entitled "Cryptocurrency Mining Operations" and will read as follows:

Section 270-24(F) Cryptocurrency Mining Operations.

(1) Definitions:

"Cryptocurrency" is defined herein as a digital currency in which encryption techniques are used to regulate the generation of units of currency and verify the transfer of funds, operating independently of a central bank.

"Commercial Cryptocurrency Mining" is defined herein is the commercial process by which cryptocurrency transactions are verified and added to the public ledger, known as the block chain, and also the means through which new units of cryptocurrencies are released, through the use of server farms employing data processing equipment. For purposes of this section, any equipment which requires a High Density Load Service, or any Server Farm, will constitute a commercial cryptocurrency mining operation.

"Server Farm" is defined herein as three or more interconnected computers housed together in a single facility whose primary function is to perform cryptocurrency mining or associated data processing.

"High Density Load Service" is defined herein as the provision of electrical service where the requested load density has, for any monthly billing period, either an average power demand in excess of 300 kilowatts, OR an average power density in excess of 250 kilowatt-hours per year per square foot, equivalent to 35.064 square feet per kilowatt, at 100% load factor. Square footage is defined as leased or owned boundaries of floor space devoted to the operating data processing equipment, and

excludes space for offices, storage, shipping and receiving, or any other space that is not electronic processing.

(2) Fire Safety.

- (a) Fire Suppression. An active clean agent fire protection system must be provided and maintained in good working order within any structure which contains a Commercial Cryptocurrency Mining Operation. High sensitivity smoke detectors shall be installed and operational in order to activate this clean agent fire suppression system.
- (b) There shall be an emergency electricity termination switch installed outside of any containment structure which contains a Commercial Cryptocurrency Mining Operation.
- (c) Containment Space. The equipment used in any Commercial Cryptocurrency Mining Operation shall be housed in an individually metered, electrically grounded and metal-encased structure with a fire rating designed to resist an internal electrical fire for at least 30 minutes. The containment space shall contain baffles that will automatically close in the event of fire independent of a possible electric system failure.
- (d) All building requirements required by this section, including but not limited to heat transfer apparatuses, fire detection/suppression systems, or containment structures shall be designed by a New York State licensed engineer and in accordance with all applicable codes and standards.

(3) Heat.

- (a) The ambient temperature inside of a containment space which houses a Commercial Cryptocurrency Mining Operation shall not exceed 120 degrees Fahrenheit at any time. No person shall be permitted to regularly inspect and work within the containment area which houses a Commercial Cryptocurrency Mining Operation if the ambient the temperature within the containment area exceeds 90 degrees Fahrenheit.
- (b) Any Commercial Cryptocurrency Mining Operation shall ensure that no more than 20% of the heat dissipated by the mining activity shall be released directly to the outside when the average daily temperature is less than 40 degrees Fahrenheit.

(4) Nuisance Abatement.

- (a) No Commercial Cryptocurrency Mining Operation may cause adverse or detrimental effects to adjoining leasees, owners, or residents that diminish the quality of life or increase the costs of serving their business or maintaining their homes.

- (b) No Commercial Cryptocurrency Mining Operation shall produce a noise level exceeding ninety decibels (90 dB) from a distance of twenty-five feet from the exterior of the containment structure.

(5) Special Use Permit

A Special Use Permit, pursuant to Section 270 of the City Code, is required for any new Commercial Cryptocurrency Mining Operation, and any expansion of any pre-existing Commercial Cryptocurrency Mining Operation, in order to ensure conformance with this section.

(6) Schedule I, Schedule of Permitted Uses Part B of Chapter 270 the City Code of the City of Plattsburgh will be amended include "Commercial Cryptocurrency Mining" to the "Uses Requiring Special Permit" section of the "Industrial" Zoning District.

(7) Effective Date; Applicability.

A. This local law shall take effect immediately upon filing in the office of the New York State Secretary of State.

B. This section shall apply to all building permit or zoning applications pending at the time it becomes effective, unless the reviewing Council or Board shall determine that its application would be impracticable or unjust in the particular circumstances.