

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

February 7, 2019

5:30 P.M.

AGENDA

Pledge of Allegiance

(RC)

Present: Mayor Colin Read, Councilors Rachelle Armstrong (W1), Mike Kelly (W2), Elizabeth Gibbs (W3), Peter Ensel (W4), Patrick McFarlin (W5), Jeff Moore (W6)

Absent:

MAYOR'S COMMENTS:

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the Regular Meeting of the Common Council held on January 31, 2019 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor _____; Seconded by Councilor _____

(All in Favor/opposed)

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending February 6, 2019 in the amount of \$_____ 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 _____; Seconded by Councilor _____

(All in Favor/opposed)

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of January 29 – February 4, 2019
- Report from the City Clerk's Office of all monies received during the month of January 2019 in the total amount of \$11,573.02
- Minutes of the Plattsburgh Sustainability Committee held in November 2018 and December 2018
- Mayor Read's proposed form for the annual managerial evaluation process.

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

Governance, Strategy, and City Operations- Chair Councilor Armstrong

City Infrastructure – Chair Councilor Moore

Finance and Budget – Chair Councilor Kelly

Public Safety – Chair Councilor Gibbs

Plattsburgh Public Library – Chair Councilor Ensel

MLD - MLD Board President Councilor McFarlin

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 _____; Seconded by Councilor _____

(All in Favor/opposed)

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council for the week ending February 8, 2019 in the amount of \$_____ 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 _____; Seconded by Councilor _____

(All in Favor/opposed)

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

6. PERSONS ADDRESSING COUNCIL ON AGENDA ITEMS ONLY:

7. OTHER ITEMS:

Motion to remove Item 7A from the table

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

A. WHEREAS, pursuant to the authority and provisions of Section 10 of the Municipal Home Rule Law of the State of New York and the statutory powers vested in the Common Council of the City of Plattsburgh (“Common Council”) to regulate and control land use and to protect the health, safety and welfare of its residents, pursuant to Local Law P-3 of 2018, which was adopted on March 15, 2018, the Common Council declared an eighteen (18) month moratorium on all applications or proceedings for applications, for the issuance of approvals or permits for the commercial cryptocurrency mining operations in the City of Plattsburgh (“City”); and

WHEREAS, pursuant to Local Law P-3 of 2018, the aforementioned moratorium may be terminated earlier than eighteen (18) months if the Common Council determines by resolution that the purpose of the local law have been fulfilled;

WHEREAS, the City formed a cryptocurrency zoning committee to study the matter; and

WHEREAS, on March 19, 2018, the New York State Public Service Commission adopted an Order Approving Tariff Amendments with Modifications (“Rider-A”) impacting High Density Load Customers to mitigate/minimize any utility surcharges experienced by residential customers as a result of incremental purchase power costs; and

WHEREAS, on October 25, 2018, the Common Council adopted Local Law P-6 of 2018, which established zoning regulations, fire suppression requirements, heat controls, noise limits, and nuisance abatement provisions for commercial cryptocurrency mining operations in the City.

NOW THEREFORE IT IS HEREBY RESOLVED that the Common Council determines that the purpose of the Commercial Cryptocurrency Mining Operation Moratorium established by Local Law P-3 of 2018 have been fulfilled and the Moratorium is hereby terminated, effective the date this resolution is approved.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

B. WHEREAS, at their regular meeting on November 1, 2018, the Common Council approved the signing of a lease agreement with “Taylor Rental – Party Plus” to hold an event known as “2019 Bridal

Show” in the Crete Civic Center Area from Friday, April 26th, 2019 through Saturday, April 27th, 2019; and

WHEREAS, Lakeview Catering of Saranac Lake plans to cater the 2019 Bridal Show, including food and alcohol;

RESOLVED, In accordance with the request therefore the Common Council approves Lakeview Catering to provide food and alcohol during the 2019 Bridal Show. Insurance proof is required and alcohol will be served therefore NYS Liquor documentation is required.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

C. RESOLVED: In accordance with the request therefore the Common Council approves the Plattsburgh High School Community School Organization to use the auditorium on April 27, 2019 to host a live jazz performance with a catered dinner and dancing. Insurance proof is required and Alcohol will be served therefore NYS Liquor documentation is required.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

D. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor is authorized to sign an agreement with Reynolds Boats Northern Bass Tournaments and Adirondack Coast Visitors Bureau to host a Bass tournament on August 10, 2019.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

E. RESOLVED: In accordance with the request therefore the Common Council approves that the

Mayor is authorized to sign an agreement with FLW and Adirondack Coast Visitors Bureau to host a T-H Marine FLW Bass Fishing League event on July 13, 2019.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

F. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor is authorized to sign an agreement with East Coast Watercross LLC and Adirondack Coast Visitors Bureau to hold an event July 27 - 28, 2019. There will be an overtime cost of approximately \$1,153 for Ambulance and EMT staff.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

G. Whereas, Samuel de Champlain and the native peoples both have key roles in our history, much of it little-known, and some inaccurately described; and

Whereas, the Samuel de Champlain Monument statue representation and its plaque's description prompt different reactions today than they did when installed in 1912; and

Whereas, the Samuel de Champlain Monument Working Group has asked the Common Council's permission to install an educational panel on City property in the park near Plattsburgh's Samuel de Champlain Monument, giving context to it and explaining misconceptions; and

Whereas, The Lake Champlain Basin Program has been consulted regarding the panel's design, ensuring that it will be consistent with other historic signage; and

Whereas, the group will find private sources for the approximate \$1400 needed to have the panel and frame manufactured and delivered; and

Whereas, upon receiving this gift offered by the Working Group, and in light of the educational and cultural benefits provided, the City of Plattsburgh Common Council commits to installing and maintaining the educational panel; and

NOW THEREFORE, Be it therefore resolved according to a request by Councilor Armstrong that the City of Plattsburgh Common Council authorizes the installation and maintenance of said educational panel in the Samuel de Champlain Monument Park near the Champlain Monument in a location recommended and constructed by the Department of Public Works for an estimated cost of \$1,000, paid for from the General Fund.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

H. RESOLVED: In accordance with the request therefore the Common Council approves that the Plattsburgh Farmers and Crafters Market group to manage the Farmers Market for the 2019 market season from May 11 - October 12, 2019. Signed Licenses agreement, fee and insurance proof is required.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

I. RESOLVED: In accordance with the request therefore the Common Council approves Plattsburgh Bike Rodeo event on Saturday, May 17, 2019 in the Durkee Street Parking lot. They are requesting to block off 70 parking spaces (from Friday, May 17 -18, 2019) Insurance certificate is required.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

J. THE MAYOR HANDS DOWN THE REAPPOINTMENT OF COMMISSIONER OF THE PLATTSBURGH HOUSING AUTHORITY BOARD TO SHIRLEY O'CONNELL EFFECTIVE APRIL 6, 2019 TO APRIL 6, 2024.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

K. THE MAYOR HANDS DOWN THE APPOINTMENT OF COMMISSIONER OF THE PLATTSBURGH HOUSING AUTHORITY BOARD TO AMY BONN EFFECTIVE FEBRUARY 8, 2019 TO APRIL 6, 2020.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

L. RESOLVED: In accordance with the request therefore the Common Council approves \$3,000 for Animal Rescue and Welfare Services to continue their services for feral cat control, rescue and adoption efforts in the City of Plattsburgh, it being understood that this money is left over from the 2018 Animal Control Budget (1351-4430).

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

M. RESOLVED: In accordance with the request therefore the Common Council approves 2019 Street Drives.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

N. RESOLVED: In accordance with the request therefore the Common Council approves The City of Plattsburgh’s field day event on the Oval Field on April 27th from 2:00pm to 7pm (Rain date: May 11th). Alcohol will be served therefore NYS Liquor documentation is required.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

O. RESOLUTION AUTHORIZING THE FORMATION AND INCORPORATION OF THE LAKE CITY LAND BANK CORPORATION

WHEREAS, disinvestment in real property and resulting atrophy can result in a significant amount of vacant and abandoned property in the City of Plattsburgh; and

WHEREAS, this condition of vacant and abandoned property represents lost revenue to the City of Plattsburgh and imposes large costs ranging from demolition, effects of safety hazards and spreading deterioration of neighborhoods including resulting mortgage foreclosures; and

WHEREAS, the need exists to strengthen and revitalize Plattsburgh’s economy by solving the problems of vacant and abandoned property in a coordinated manner and to foster the development of such property and promote economic growth; and

WHEREAS, there is an overriding public need to confront the problems caused by vacant, abandoned and tax-delinquent properties to turn these vacant spaces into vibrant places; and

WHEREAS, land banks are one of the tools that can be utilized by the City of Plattsburgh to facilitate the return of vacant, abandoned, and tax-delinquent properties to productive use; and

WHEREAS, the City of Plattsburgh is a foreclosing governmental unit under Not-For-Profit Corporation Law Section 1602(c)—with the City Chamberlain serving as Enforcing Officer—in all areas within the geographic boundaries of the City of Plattsburgh and, when warranted, conducts annual in rem tax foreclosures and real property tax auction; and

WHEREAS, the Common Council of the City of Plattsburgh supports the formation of a land bank for the benefit of properties located within the City of Plattsburgh and seeks to authorize the filing of an application; and

WHEREAS, the name “Lake City Land Bank Corporation” is not used by any other state corporation and the approval for use of such name will be sought from the New York State Department of Financial Services; and

WHEREAS, an authorizing resolution is both desirable and necessary to formally submit an application to the State regarding the land bank.

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Common Council of the City of Plattsburgh authorizes the formation and incorporation of the Lake City Land Bank Corporation (“Corporation”) under the applicable provisions of Article 16 of the Not-For-Profit Corporation Law; and it is further

RESOLVED, that there shall be seven (7) initial directors of the Corporation and they shall serve two (2) year terms from the date of incorporation unless appointed by virtue of a director’s elected public office in which case it shall run concurrently with the term of that office, whichever is less; the initial directors are:

NAME:

1. Colin Read, Mayor City of Plattsburgh
2. Eva Schweber, Planner City of Plattsburgh
3. Mark Hamilton, Executive Director Plattsburgh Housing Authority
4. Amy Bonn, Community Developer
5. Derek Rosenbaum, Appraiser
6. Ben Clark, Housing Developer
7. Member of the Council

RESOLVED, that the Mayor of the City of Plattsburgh be and hereby is authorized to sign the annexed Certificate of Incorporation as Incorporator; and it is further

RESOVED, the this Common Council agrees to develop procedures whereby the land bank, once incorporated, can select City delinquent tax properties for land bank use prior to the annual tax auction to be redeveloped consistent with the goals of the land bank; and it is further

RESOLVED, the this Common Council, serving as lead agency, hereby finds and determines that this resolution constitutes a Type II action such that no further environmental review is required; and it is further

RESOLVED, that this resolution is expressly subject to the approval of the Empire State Development Corporation as required by Section 1603 of the Not-For-Profit Corporation Law and accordingly, the annexed Certificate of Incorporation shall not be filed with the Secretary of State unless and until it is first approved by the New York State Urban Development Corporation d/b/a the Empire State Development Corporation.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

8. TRAVEL REQUEST: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

- 1. Request from Councilor Armstrong to introduce Local Law P-2 of 2019. A local law renaming, amending and restating in its entirety Chapter 241, Section 5 of the City Code of the City of Plattsburgh.

10. NEW BUSINESS AND COUNCILOR REPORTS:

11. CLOSING PUBLIC COMMENTS ON ANY TOPIC:

Motion to Adjourn by Councilor _____; Seconded by Councilor _____

Roll call: Councilors Armstrong, Kelly, Gibbs, Ensel, McFarlin, Moore

MEETING ADJOURNED: _____