

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

June 4, 2020

5:00 P.M.

MINUTES

Pledge of Allegiance

(RC)

Present: Mayor Colin Read, Councilors Ira Barbell (W1), Mike Kelly (W2), Elizabeth Gibbs (W3), Steve Brodi (W4), Patrick McFarlin (W5), Jeff Moore (W6)

Absent: None

MAYOR'S COMMENTS:

Mayor Read presented the following proclamation:

PROCLAMATION

Whereas, all people are created equal, and

Whereas, this original American Dream has yet to treat everybody equally two centuries after this bold concept of democracy, and

Whereas, so many of our institutions are designed to preserve existing power, and hence holds back so many with so much to offer, and

Whereas, the United States Constitution incorporated its 1st Amendment to ensure people are free to speak peaceably speak truth to power, as people shall do on Saturday, June 6, 2020 in the "No Justice, No Peace, Walk for Change" protest,

Whereas, the injustices perpetrated against those with the least power, especially our African American and other oppressed minorities, has resulted in pain, in violence, and in death, and

Whereas, we must find a new path that protects ALL Americans, not just the chosen few, and

Whereas, we will have to all endure some discomfort that cannot possibly be proportional to the pain experienced by African Americans and others as inflicted by those who take an oath to guard and protect us, not wage war against us, individually or collectively,

Therefore, be it resolved that this City of Plattsburgh stands by the disadvantaged, the weak, the oppressed, the victims of violence, and those who view all people as created equal, and

Be it Further resolved that reform of our social institutions, our policing, and our civic discourse must begin immediately so that the memory of this most recent tragic murder of George Floyd in Minneapolis will never be forsaken, and

Be it Further resolved that we all condemn violence and destruction, and ask that the palpable anger and energy we all feel be turned toward reform rather than retribution.

Finally, I further declare this to be George Floyd Week and ask that we all gather to remember his life, the injustice of his tragic death, and our mutual commitment to peace, equal rights, and the preservation of black lives and of the oppressed everywhere, and Saturday, June 6 2020 No Justice, No Peace, Walk for Change Day, with gratitude to all who have contributed to and participated in this day.

Done in the City of Plattsburgh, New York this fourth day of June
in the Year Two-Thousand Twenty
Colin L. Read, Mayor

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the Regular Meeting of the Common Council held on May 28, 2020 are approved and placed on file among the public records of the City Clerk’s Office

By Councilor Barbell; Seconded by Councilor Gibbs
(All in Favor/opposed)
Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore
(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 June 3, 2020 in the amount of \$ 488,803.98 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 Gibbs
(All in Favor/opposed)
Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore
(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report from the City Clerk’s Office of all monies received during the month of May 2020 in the total amount of \$2,986.50
- Minutes from the Public Safety Committee meeting held on May 28, 2020
- Building Inspector’s Tree Report 2020
- Reports from the Police Department dated June 3, 2020

COUNCILOR/DEPARTMENT CHAIR COMMITTEE REPORTS:

Governance, Strategy, and City Operations- Chair Councilor Barbell met tonight, nothing to add.

City Infrastructure – Chair Councilor Moore indicated nothing to report.

Finance and Budget – Chair Councilor Kelly indicated continue discussion on 5 year plan later on agenda when resolution comes up.

Public Safety – Chair Councilor Gibbs indicated nothing to report.

Plattsburgh Public Library – Chair Councilor McFarlin indicated staggered re opening on August 3rd, Chapter 1 Café did not renew lease in May.

MLD - MLD Board President Councilor McFarlin indicated nothing to report.

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 Gibbs
(All in Favor/opposed)
Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore
(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 June 5, 2020 in the amount of **\$ 344,519.44** 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 Gibbs; Seconded by Councilor Kelly
(All in Favor/opposed)
Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL ON AGENDA ITEMS ONLY:

No one addressed the Council in person, in writing or via email to cityinfo@plattsburghcitygov.com

7. OTHER ITEMS:

A. Motion to remove item 7A from the Table.

By Councilor McFarlin; Seconded by Councilor Barbell

Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore

(All voted in the affirmative)

RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to adjust the 2020 City budget for an 85% reduction in the remaining overtime appropriations based on a resolution adopted by the Common Council on May 21st, 2020. The combined reduction in overtime appropriations across all City funds equals approximately \$558,164.00 with a corresponding reduction in appropriated fund balance for all City funds.

Discussion: Yes

Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore

(Councilors Barbell, Kelly, Gibbs, Brodi and Moore voted in the negative. Councilor McFarlin voted in the affirmative)

ACTION TAKEN: Defeated

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves rejecting all bids received for PIN 7805.88 "Saranac River Trail Phase 2".

By Councilor McFarlin; Seconded by Councilor Barbell

Discussion: Yes

Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common council approves Canadian Pacific Railway to close Dock Street and have a short term detour for maintenance of the railroad crossing. The anticipated road closure is requested for Monday June 8th from 6am to 8pm.

By Councilor Gibbs; Seconded by Councilor Moore

Discussion: None

Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves Mickey's Restaurant & Lounge, located at 26 Riley Avenue 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 which may include additional COVID-19 restrictions. 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 subject to NYS Business reopening permission – September 30, 2020.

Motion to waive reading and move Resolutions 7D and 7I

By Councilor McFarlin; Seconded by Councilor Barbell
(All voted in favor of waiving reading and move Resolutions 7D and 7I)

Discussion: Yes

Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council of the City of Plattsburgh has prepared and approved a five year budget plan commencing on January 1, 2021 which will be presented to the Mayor of the City of Plattsburgh for use in preparing the 2021 Mayor's Budget.

By Councilor Gibbs; Seconded by Councilor Kelly

Discussion: Yes

Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. The Council established Council/Department Liaison Committees, assigning the Chair and members, during the Organizational Meeting held on January 2, 2020, which will be held each Thursday in the Common Council Chambers prior to the Council Meetings. Due to a vacancy on the Council and then appointment of new councilor it has become necessary to reassign the following:

Governance, Strategy, and City Operations Committee – Chair: Councilor Barbell; Member: Councilor Brodi

Plattsburgh Public Library – Chair: Councilor McFarlin; Member: Councilor Brodi

RESOLVED: In accordance with the request therefore the Common Council approves amending 2020 Committee Chairs and second member as stated above.

By Councilor Kelly; Seconded by Councilor Barbell

Discussion: None

Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

G. Whereas, the following resolution supersedes and replaces in its entirety the resolution 7L dated May 21, 2020; and

Whereas, it has been the policy of the City of Plattsburgh to minimize, and where able, eliminate overtime compensation; and

Whereas, in his role as chief executive officer of the City—which includes the direction and supervision of the administration of all departments—the Mayor has directed department heads to constrict, to the maximum amount possible, the use and approval of overtime; and

Whereas, as a result of declining revenue projections for the City of Plattsburgh 2020 and 2021 Budgets due to the Covid-19 pandemic, even, further constriction of overtime compensation is required.

Now therefore, it is hereby resolved, that all overtime in every department’s budget shall be frozen; and, any emergency requiring the use of overtime must be approved by the Mayor

It is further resolved that the Mayor is directed to report to the Common Council, for every instance where overtime used and approved a monthly report on overtime approvals, containing a description of the unique circumstances that required the use of overtime to allow the Common Council to audit and authorize payment thereon.

Motion to waive reading and move Resolution

By Councilor McFarlin; Seconded by Councilor Barbell
(All voted in favor of waiving reading and move Resolution)

Discussion: Yes

Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

H. WHEREAS, the City of Plattsburgh has a diverse Lesbian, Gay, Bisexual, Transgender, and Queer (hereafter “LGBTQIA+”) community, and the Common Council is committed to supporting visibility, dignity, and equity for all people in our community; and

ACKNOWLEDGING, residents, students, city employees, and business owners within the City of Plattsburgh who contribute to the enrichment of our City are part of the LGBTQIA+ community; and

RECOGNIZING, various advancements have been made with respect to equitable treatment of LGBTQIA+ persons throughout the nation, but that there continues to be opposition to members of this community, making it important for cities like Plattsburgh to stand up and show support for our residents who are affected; and

NOTING, June has become a symbolic month in which the LGBTQIA+ community and their supporters come together in various celebrations of pride; and

NOTING FURTHER, several cities across the United States recognize and celebrate June as LGBTQIA+ Pride Month; and

DESIRING, to recognize and celebrate all members of our community, especially those who are often excluded or oppressed; and

WHEREAS, given its unique geographical location, the City of Plattsburgh wishes to make this celebration of support visible not only in our own community, but to neighboring communities around the North Country, in Vermont, and Quebec.

NOW THEREFORE, the Common Council of the City of Plattsburgh does hereby declare June 13th, 2020 to be LGBTQIA+ Pride Day in the City of Plattsburgh, and invites everyone to reflect on ways we can all live and work together with a commitment to mutual respect and understanding; and further encourages the community to join others in the North Country and throughout the world to increase its awareness of LGBTQIA+ persons in our community.

By Councilor Gibbs; Seconded by Councilor McFarlin

Discussion: Yes

Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

I. RESOLVED: In accordance with the request therefore the Common Council approves SIP located at 14 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 which may include additional COVID-19 restrictions. 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 subject to NYS Business reopening permission – September 30, 2020.

[See details under Item 7D]

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Councilor McFarlin added the following:

WHEREAS, the COVID-19 Pandemic has had a large impact on the world, the United States of America, and New York State in the first half of 2020;

WHEREAS, to address the spread of COVID-19, Governor Andrew Cuomo has issued several executive orders and implemented the policy known as PAUSE New York which required, *inter alia*, restaurants to close operations;

WHEREAS, Governor Cuomo has lessened the restrictions on restaurant operations and on June 4, 2020 restaurants in certain parts of New York including Plattsburgh, New York are permitted to begin serving

customers for in person dining, provided that customers only be permitted to occupy tables located outside;

WHEREAS, Mickey's Restaurant and Lounge ("Mickey's") is a business located in the City of Plattsburgh at 26 Riley Avenue on the northern side of the block located in between Hyde Avenue and Weed Street;

WHEREAS, Mickey's Restaurant owns the parking lot that encompasses the entirety of the southern edge of Riley Avenue between Margaret/Weed Streets and the railroad tracks;

WHEREAS, Riley Avenue is a one-way street running in a westerly direction between Weed Street and Hyde Avenue;

WHEREAS, Mickey's is the only commercial establishment located on the block of Riley Avenue described *supra*, and the only other edifice located on said block is a residence with the address of 3 Weed Street;

WHEREAS, an owner of Mickey's, Julie Lilledahl has asked the Plattsburgh Common Council if Riley Avenue in front of Mickey's can be closed to traffic to allow for additional seating for patrons of Mickey's;

WHEREAS, Ms. Lilledahl has received consent for her request from all residents on the affected portion of Riley Avenue;

WHEREAS, the aforementioned block of Riley Avenue is not a major thoroughfare in the City of Plattsburgh and can be readily bypassed by utilizing Hyde Avenue;

BE IT THEREFORE RESOLVED, that the Plattsburgh Common Council hereby permits Riley Avenue to be closed off to traffic in front of Mickey's Restaurant and Lounge until such time as Mickey's is able to resume normal operations, the day subsequent to Labor Day 2020, or further action by the Common Council to the contrary, whichever is sooner;

BE IT FURTHER RESOLVED, that the Plattsburgh Common Council hereby authorizes the Mayor to enter into a contract with Ms. Lilledahl to effectuate the aforementioned resolution provided that all costs associated with same be borne by Mickey's Restaurant and Lounge and no cost be borne by the City of Plattsburgh.

2. Councilor Kelly added the following:

Resolved, the city council requests that Mayor Read contact the city's union leaders and gauge their interest in a number of cost saving measures including but not limited to job-sharing, 32 hour weeks and across the board reductions in pay. Mayor Read is also requested to ask union leaders for their ideas on additional savings. And report back to Council on July 1, 2020.

Motion to waive Rule 4 for Initial Consideration and move resolution:

By Councilor McFarlin; Seconded by Councilor Barbell

Discussion: Yes
Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

10. NEW BUSINESS AND COUNCILOR REPORTS:

Councilor McFarlin asked if we are going to discuss Ms. McLean from Irises request to close downtown streets for outdoor dining.

Councilor Gibbs suggested it be discussed during next week’s Infrastructure meeting after getting more information from DPW and City Planner.

Councilor McFarlin mentioned a request from Rachele Armstrong regarding Kasper Circle and how she would go about hiring someone to remove trees, etc. Also, a resident on Elm Street contacted him that the new VA clinic located in between St. Charles and North Catherine Streets lights are too bright at night and are on all night.

Mayor Read said Beth will send a note to Building Inspector’s office for review.

11. CLOSING PUBLIC COMMENTS ON ANY TOPIC:

Julie Lilledahl owner of Miceys appreciate Council approving her request.

No comments received in writing or via email to cityinfo@plattsburghcitygov.com

Motion to Adjourn by Councilor McFarlin; Seconded by Councilor Moore
Roll call: Councilors Barbell, Kelly, Gibbs, Brodi, McFarlin, Moore
(All voted in the affirmative)

MEETING ADJOURNED: 6:11 pm