

CITY COUNCIL AGENDA
THURSDAY, JANUARY 5, 2023, 7:00 P.M.
CITY COUNCIL CHAMBERS- HURLEY BUILDING
205 SALTONSTALL ST.
VIRTUAL: <https://us06web.zoom.us/j/82103183289>

City Council: **Bob Palumbo, Mayor**
 Ellen Polimeni, Councilmember Ward I
 Dan Unrath, Councilmember Ward II
 Karen White, Councilmember Ward III
 Erich Dittmar, Councilmember Ward IV
 Sim Covington, Councilmember-at-Large
 Thomas Lyon, Councilmember-at-Large
 Renée Sutton, Councilmember-at-Large
 Steve Uebbing, Councilmember-at-Large

John Goodwin, City Manager
Erin VanDamme, City Clerk
David Hou, Corporation Counsel

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Public Hearings:**
- 4. Review of Community Core Values:**
As residents, city staff and appointed & elected officials of the City of Canandaigua, our decisions and actions will be guided by these core values: Responsive; Participatory Governance; Caring & Respect; Integrity; Heritage; Stewardship; and Continuous Improvement.
- 5. Approval of Minutes: December 8, 2022**
- 6. Recognition of Guests: Matt Horn, CLDC – Winter In Canandaigua**
- 7. Committee Reports:**
- 8. Resolutions:**

Resolution #2023-001: A Resolution Establishing Videoconferencing Procedures for Public Meetings

Resolution #2023-002: A Resolution Setting the Time and Place of a Public Hearing on a Restore NY Round 7 Grant Application

- 9. Ordinances:**
- 10. Local Laws:**
- 11. Manager's Report:**
- 12. Appointments: BID Representatives**
 City Council – Ellen Polimeni
 City Manager – Rick Brown
 Mayor - Stephen Cole

13. Miscellaneous: Executive Session – Discussions regarding proposed, pending or current litigation

14. Adjournment

RESOLUTION #2023-001

**A RESOLUTION ESTABLISHING VIDEOCONFERENCING PROCEDURES FOR
PUBLIC MEETINGS**

WHEREAS, at its June 2, 2022 meeting the City Council adopted a local law pursuant to New York Public Officers Law §103-a; and

WHEREAS, the local law states that the City Council shall establish, via resolution, written procedures governing member and public attendance;

NOW, THEREFORE, BE IT RESOLVED, by City Council that the Procedures for the use of Videoconferencing to Conduct Public Meetings, attached hereto and made a part thereof, is established

ADOPTED this 5th day of January, 2023.

ATTEST:

Erin VanDamme
City Clerk

PROCEDURES FOR THE USE OF VIDEOCONFERENCING TO CONDUCT PUBLIC MEETINGS

The City of Canandaigua hereby establishes the following procedures for the use of videoconferencing to conduct all public meetings in the City of Canandaigua. These procedures are established pursuant to Public Officers Law § 103-a and shall be superseded by any amendments thereto.

1. DEFINITIONS:

Hybrid Meeting: a meeting of a public body where there are a mix of physically present and virtually present members participating.

Meeting: a gathering of the members of a public body for the transaction of official business, for which a quorum of its members must be present.

Physical Presence: when a member is physically present at the meeting.

Virtual Presence: when a member participates in a public meeting virtually, as provided herein, using video conferencing technology (ex. Zoom, Skype, Cisco WebEx, etc.).

2. REQUIREMENTS WHERE VIDEO CONFERENCING IS UTILIZED.

- a. At least a quorum of the body must be physically present at all hybrid meetings.
- b. Members of the public body shall be physically present at meetings unless such member is unable to be physically present due to extraordinary circumstances, which includes but is not limited to disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical presence at such meeting.

This section shall not apply in the event of a state of emergency declared by the State, Ontario County, or the City of Canandaigua, if the public body determines that the circumstances necessitating the state of emergency would affect or impair its ability to hold an in-person meeting.

- c. The public body shall provide the opportunity for members of the public to view its meetings via video, and to participate in proceedings via videoconference in real time where public comment or participation is authorized and shall ensure that videoconferencing authorizes the same public participation or testimony as in person participation or testimony.

- d. The public body shall ensure its members can be heard, seen, and identified during the meeting, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon.
- e. Meeting minutes shall include which members were virtually present and shall be available to the public as required by law.
- f. Public notice of the meeting shall inform the public that videoconferencing will be used, where to view and/or participate in the meeting, where to participate and attend physically, and where required documents and records will be posted or made available.
- g. Meetings conducted using videoconferencing shall be recorded and such records shall be posted or linked on the City website within five (5) business days following the meeting and shall be available for a minimum of five (5) years thereafter. Transcriptions of a public meeting shall be made available only upon request, at the cost to the requester.
- h. All videoconferencing shall use technology consistent with the Americans with Disability Act.

RESOLUTION #2023-002

**A RESOLUTION SETTING THE TIME AND PLACE OF A PUBLIC HEARING ON
RESTORE NY ROUND 7 GRANT APPLICATION**

WHEREAS, the City is applying for funding from the Restore NY Communities Initiative Municipal Grant Program administered by the Empire State Development Corporation (ESDC) which will have funding available for the demolition, rehabilitation and/or reconstruction of vacant, abandoned, condemned and/or surplus properties for the purpose of revitalizing urban and rural areas, disadvantaged communities and stabilizing neighborhoods; and

WHEREAS, Phase 2 of the 243 Gorham Street Project consists of the selective demolition and abatement of four existing structures within the complex to create five residential apartment buildings with 51 units and two commercial spaces and thus repurposing a former manufacturing/industrial facility that has been vacant for many years into a vibrant mixed-use community; and

WHEREAS, the program requires that a public hearing be held to discuss the grant application and the property assessment list (attached) associated with the grant application;

NOW, THEREFORE, BE IT RESOLVED, by City Council that a public hearing regarding its Restore NY Communities Initiatives application and the associated property assessment list, shall be held in the City Council Chambers, Hurley Building, 205 Saltonstall Street, Canandaigua, New York and held virtually at <https://us06web.zoom.us/j/82103183289> during a Special City Council the meeting held at 7:00 p.m on January 17, 2023 prior to the Environmental and Ordinance Committees meeting; and

BE IT FURTHER RESOLVED that the City Clerk shall cause notice to be given and published as required by law.

ADOPTED this 5th day of January, 2023.

ATTEST:

Erin VanDamme
City Clerk

