

MINUTES
ENVIRONMENTAL COMMITTEE & ORDINANCE COMMITTEE
TUESDAY, JANUARY 17, 2023, 7:00 PM
HURLEY BUILDING, 205 SALTONSTALL STREET
VIRTUALLY: <https://us06web.zoom.us/j/84936309067>

Environmental Committee: Sim Covington, Jr.
 Erich Dittmar
 Renée Sutton

Other Councilmembers Present: Thomas Lyon,
 Ellen Polimeni
 Steve Uebbing, via Zoom
 Dan Unrath
 Mayor Palumbo

Absent: Karen White

City Staff: John Goodwin
 David Hou, Corporation Council

Chair Karen White is absent, Councilmember Renee Sutton will be chairing the meeting. She moved the Kershaw Park discussion to the top of the agenda. She reviewed the details, that the lease for the concession at the Kershaw Park Bath House has expired and prior to releasing a bid for a successor lease agreement, the City Manager Goodwin would like to review some recommendations for change. Mr. Goodwin said the first recommended change would be not of leasing a portion of the building for concessions, but adding a vendor location similar to those Downtown and the City Pier locations. He is proposing creating a new vendor spot in Lakefront Park (same location that L.L. Bean had used in years past) for a small craft (SUP and kayaks) rental. Mr. Goodwin explained the area would also have four parking spots. The city would be able to use the concession space for a weekend police substation and possibility look to create year-round bathrooms. Councilmember Sutton asked what is needed by Council to do this and Mr. Goodwin said we would create a new resolution changing the vendor ordinance to do this to add the new location. Councilmember Sutton asked guest Kailey Woodard if she wanted to speak. Ms. Woodard has been the lease holder for the concessions and a kayak rental since 2020. Ms. Woodard of 447 Castle Rd Geneva, said she was surprised to learn of this plan and had emailed Councilmembers privately earlier in the day with her thoughts. She reviewed her business model with Council. She reviewed the grease trap issue that started in 2020 and resolved in 2022, as she was concerned that perhaps, this is the reason for the potential change for the site. She also owns Woodard Rentals for kayaks and disagrees with the potential kayak launch area suggested in Lakefront Park and feels it would be very difficult to run a business from that location. She feels the launching and exiting space considered isn't wide enough and would only support two kayaks at a time, as opposed to the area at Kershaw that is being used now. The Mayor asked her how her business has been since it open and Ms. Woodard said that she has a good start in 2020, had a slip dip in 2021, mostly weather related and had a great 2022. Her payroll for 2022 was more than \$48,000. Councilmember Unrath asked about the business during Covid. Ms. Woodard said that they did not have the same restrictions as an outdoor business, so the impact was different. They saw tourists from outside the area. The bigger issue, she experienced was the closing of the beach area earlier than Labor Day, due to the staffing shortages for the City, which she said she was not made aware of. Councilmember Uebbing asked about the plans for the area if it isn't rented. City Manager explained that making the space into a subspace for the police department would be very helpful to control issues down at the Lake and to then add a vendor space outside of it, similar to the other vendor permits on the Pier and Main Street. Councilmember Uebbing recommended creating

a plan for 2024 and reviewing the situations during the season for 2023. Councilmembers discussed taking the area back out to bid opportunities for 2023. Mr. Goodwin recommended charging the same fee as other agreements, for the kayak launch. Councilmember Sutton thanked Ms. Woodard for speaking and seeing that no motion was made otherwise and RFP will go out for 2023.

Councilmember Sutton reviewed the next item. Approval for a Public Art Installation at Lakefront Park. Councilmember Sutton reviewed that Roseland Park which operated in the area of what is now Lakefront Park for 60 years until its closure in 1985, included a Sky Ride that went out over part of Canandaigua Lake. The Sky Ride had two stanchions in the Lake, one is part of the Canandaigua Lady dock with its ticket office placed on top. The other remains just off the shore line and acts as a blighting influence. For several years, the idea of a public art installation on the un-utilized stanchion has been discussed recently a local group has worked with an artist to develop a sculpture proposal that is designed to recognize Roseland Amusement Park. As the public art piece would be part of Lakefront Park, City Council approval of the sculpture is necessary. Benji Carr, Cohocton, New York spoke and is the artist of the proposed piece. He showed council the model he made of the proposed structure. Made of metal, the artwork will sport five attractions, all of which would move slowly at the same time, driven by hydraulics and an electric motor. A carousel, Ferris wheel, and other rides, atop a roughly 8-foot base, would be about 15 feet off the water. There will be a sealed box at the bottom with a gear box with a hydraulic pump that runs hydraulic fluid through stainless steel lines up to each feature and drives it. Each one of the units has a blow by valve that should the structure be forced to stop and fluid will blow by and into the reservoir. Electricity will be needed to operate; it can come from a lamp post nearby and on the post a box for a shut off on the post up high and has a timer inside and come on at 6 am and shut off at 10 pm. Can be lite from below. A speaker would also be below and play carnival noise, very low, but part of the overall design and not overwhelming at all. Funding? Councilmember Polimeni said it is something that is fundable as The Arts Council has been working on this for some time. They are looking for grant opportunities and community organizations that they make an appeal. Judy Cermak is also working on this and no public money will be involved. The City will have a role with in-kind service and overall approval. Councilmember Uebbing asked about Mr. Carr's experience. Mr. Carr said that yes, he has many machines that he has made that are hydraulically operated with recycled materials. A welder and stainless and foundry work with metal castings and fabricated fixtures for many years. He has done work for Wegmans store change with more than 350 tables for their stores. 2019 he installed a project a Cobblestone Arts Group, it is an 18 ft tall sculpture and it a kinetic piece and can be operated from the building. This would be his first time working with a project over water. The project has an 8-month timeline. Councilmember Sutton asked about the environment impact of the structure. He doesn't believe it would be, but would have a cover for it should weather be impacted. Mr. Goodwin said that the only boat impacted would be a kayak as it is too shallow. Mr. Goodwin spoke with the Offices of General Services to review the project as they own the land under the Lake. They see this a given a standard permit for the project. Councilmember Dittmar asked about the electric and Mr. Goodwin said it would most like be the in-kind service provided. Mr. Carr suggested having a buoyed line around the piece to deter any public traffic from hurting the piece. Councilmember Dittmar motioned to approve the design and to push the project forward, seconded by Councilmember Covington. Before the vote, Judy Cermak of Gibson Street, spoke and said this will be an attraction to see once it is all finished. Unanimously passed and carried onto full Council.

Councilmember Sutton reviewed the BID Special Events proposal for a Wedding March and Vintage & Classic Euro Car Celebration. Denise Chaapel, presented and reviewed the events. The BID would like to add two new events to their line-up of events in 2023. The first, Wedding March, would take place on March 4, 2023 and involve installing up to 16 tents at the curb in front of businesses that provide services for weddings with a red carpet leading into the business, should weather allow. No street closures will be needed. The second, Vintage & Classic Euro Car Celebration, would take place on June 10th taking place in portions of City parking lots on Coach Street and Lafayette Ave. 75 – 100 cars will tour a two-mile area with traffic and no street closures will be needed, they will end of at the Central and asking to close that parking area. Councilmember Covington motioned to approve both events, seconded by Councilmember Dittmar. Unanimously passed and carried onto full Council.

Councilmember Sutton reviewed the final item Community Choice Aggregation (CCA) Restart. Mr. Goodwin introduced Shannon Bellamy, on behalf of Joule. Joule Community Power our third-party administrator for

municipalities across the area, for the community choice aggregation program that enables participating communities to pool local electricity demand in order to leverage the collective buying power of their residents and small businesses in an effort to secure more favorable terms on their energy supply, protect consumers, and support renewable generation sources. Since January 2021, participants in the City of Canandaigua have collectively saved in excess of \$330,900 through the program's fixed electricity supply rate over the 18 months of the program. While the contract ended earlier than expected the City has been working to deliver a new CCA offering through an upcoming bid with an expected program launch in Summer. Ms. Bellamy presented the aggregation program to Councilmembers present. Councilmember Dittmar asked about renewable energies. Ms. Bellamy said they want to provide competitive rates and would prefer 100% but due to demand lowered that standard to 50%. Councilmember Sutton thanked for the presentation and asked to continue to conversation at future meetings.

Councilmember Sutton adjourned the Environmental meeting.

Ordinance Committee: Renée Sutton, Chair
 Sim Covington, Jr.
 Erich Dittmar

Other Councilmembers Present: Thomas Lyon,
 Ellen Polimeni
 Steve Uebbing, via Zoom
 Dan Unrath
 Mayor Palumbo

Absent: Karen White

City Staff: Rick Brown, Director of Planning
 John Goodwin, City Manager
 David Hou, Corporation Council

Chair Sutton opened the meeting and welcomed members present. She reviewed the first agenda item and changed the first agenda item to commercial flags. She introduced, Stanley Taylor Chair of the Planning Commission of Kennedy Street along with Rick Brown, Director of Planning, who is also on the committee spoke on their recommendations. Mr. Taylor discussed their concerns relative to commercial flags. They are finding that the flags that are distracting to drivers and the signage is for the business that already has adequate signage for advertising. The flags do not do much for the businesses and over time the flags deteriorate due to being in the weather. Code Enforcement has tried to regulate these matters and, in some cases, have had issues trying to figure out whose flags belongs to which businesses, due to the generality of the flags. Rick Brown spoke to the draft and said the draft strikes the section for free standing commercial flags eliminated them all together. Discussion on the proposed timeline for the details within the ordinance to take affect remain open for discussion. Chair Sutton would like to have business come and give their feedback regarding this potential change. The purpose of adding this on the agenda was to reintroduce this topic to members present. Councilmember Uebbing said that he fully supports what Rick Brown has put together. BID President Denise Chaaple spoke and urged Council to act swiftly as she is aware of three lakefront business that have ordered their flags for the upcoming season. Mr. Goodwin said he would invite members to the next meeting for their comment and potentially be on the March meeting for full adoption by May 2022.

Chair Sutton moved to reviewing the MU Zone District Schedules. Rick Brown spoke to the three mixed used districts. In 2021, the City Council amended the Zoning Map to consolidate the MU-1, MU-2 and MU-3 districts into a single zone district with the regulations applicable to the MU-2 zone district. During this amendment

process, Schedule I of the Zoning Ordinance was not updated to eliminate the bulk and area standards of the MU-1 and MU-3 zone districts. Mr. Brown reviewed the ordinance clean up, no new text, just removing text. Councilmember Covington motioned to adopt the changes and move the ordinance to full Council seconded by Councilmember Dittmar, unanimously passed and carried.

Chair Sutton moved onto Stop Sign on Thompson Lane, with the completion of Phase 2 of The Cottages at Canandaigua and thus the loop of Thompson Lane, a new stop sign is necessary to determine the right-of-way at the intersection of Thompson Lane at Thompson Lane. Mr. Goodwin reviewed the property map. Councilmember Covington motioned to approve the stop sign, Councilmember Dittmar seconded, unanimously passed and carried. Mr. Goodwin said it will move to full council at the next meeting.

Chair Sutton reviewed Mandatory Inspection of Water Service Lines at Property Transfer, she said to review Mr. Hou's draft ordinance recommendation. Mr. Goodwin reviewed the EPA details. At the October 18, 2022 Ordinance Committee meeting, City Staff discussed how the City protects residents and neighboring municipalities from exposure to lead with the utilization of a corrosion control system to reduce lead levels in water by reducing the corrosion of the lead service lines on private property. City Staff also informed the community that the United States Environmental Protection Agency (EPA) adopted regulations to further control lead and copper in drinking water and the New York State Department of Health has directed the City to replace lead service lines in accordance with the EPA's lead and copper rule. Part of this effort is identifying/inventorying every water service line within the City's water distribution system. To aide in with this endeavor, City Staff recommended a new ordinance that requires the inspection and certification of the water service upon the transfer of property. Where the water service is found to be composed of lead or galvanized metal, it must be replaced at the expense of the homeowner prior to the transfer of property. Mr. Goodwin also reviewed another potential issue is illicit connections of sun pumps to service lines and as inspections are happening, this will also be addressed in the ordinance. Mr. Hou will add this detail into the new proposed ordinance and will integrate these details for the draft to be reviewed at future Council meeting. Chair Sutton asked members present to send comments to Mr. Hou during their review of the draft.

Councilmember Covington motioned to adjourn the meeting, seconded by Councilmember Dittmar. Unanimously passed and carried at 8:54 pm.

Next Meeting: February 21st