

CITY COUNCIL MINUTES
THURSDAY, JUNE 1, 2023
CITY COUNCIL CHAMBERS- HURLEY BUILDING
205 SALTONSTALL ST.
VIRTUAL: <https://us06web.zoom.us/j/82103183289>
LIVE STREAM: <https://fingerlakestv.org/live/>

City Councilmembers Present: **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
Steve Uebbing, Councilmember-at-Large

City Staff Present: **John Goodwin, City Manager**
Shawna Bonshak, Assistant City Manager
Erin VanDamme, City Clerk
David Hou, Corporation Counsel

Necessarily absent: **Renée Sutton, Councilmember-at-Large**

The Mayor called the meeting to order at 7:00 pm.

Review of Community Core Values: Councilmember-at-Large Covington read the 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.

Approval of Minutes:
May 4, 2023 and May 11, 2023
Moved: Councilmember Ward 3 White
Seconded: Councilmember-at-Large Covington
Vote Result: Carried unanimously by voice vote (8-0)

Recognition of Guests: Denise Chaaple from the BID Office reviewed the upcoming events being held downtown for summer and the opening of the Central on Main.

Committee Reports: There were no committee reports.

Resolutions:

Resolution #2023-058:
Moved: Councilmember-at-Large Lyon
Seconded: Councilmember-at-Large Covington

A Resolution Appointing Tina Rados as Assessor

WHEREAS, New York State Real Property Tax Law §310, requires that the City appoint an assessor to assess real property for the purpose of taxation; and

WHEREAS, the City Manager has appointed Tina Rados to the position of Assessor; and

WHEREAS, §7.1 of the City Charter requires that the City Council approve said appointment; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua hereby approves the appointment of Tina Rados as Assessor.

Prior to the vote, Mr. Goodwin said that Ms. Rados is up and running, she is working between Geneva and Canandaigua. She has many years of municipal experience. Mr. Goodwin noted that with Ms. Rados in the role, this will allow Dawn Hugheson, to fully retire after 40 years of service to the City. Councilmembers thanked Ms. Hugheson again for her service to the City.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 1 Polimeni, Councilmember Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large Lyon, Councilmember-at-Large Covington, Councilmember-at-Large Lyon, Councilmember-at-Large Uebbing and Mayor Palumbo. (8-0)

NOES: None

Resolution #2023-059:

Moved: Councilmember Ward 3 White

Seconded: Councilmember-at-Large Covington

A Resolution Awarding a Contract for Engineering Design Services for Water Resource Recovery Facility Resiliency

WHEREAS, focused expertise is needed to study the current configuration of the Water Resource Recovery Facility (herein referred to as WRRF) as it relates to protection of the facility against extreme wet weather events; and

WHEREAS, recommendations are needed on improvements to increase the ability of the WRRF to meet existing and anticipated flows, make best use of available space within the facility, avoid conflicts with existing equipment and meet the requirements of the NYSDEC; and

WHEREAS, cost estimates for design engineering qualification proposals were due on May 18, 2023 with one (1) proposal received; and

WHEREAS, the City Manager and Director of Public Works recommend awarding the contract to Larson Design Group, 1 West Market Street, Corning, New York, 14830; and

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby awards a contract for Engineering Design Services to Larson Design Group, 1 West Market Street, Corning, New York, 14830 for a total cost of \$42,000.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 1 Polimeni, Councilmember Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large Lyon, Councilmember-at-Large Covington, Councilmember-at-Large Lyon, Councilmember-at-Large Uebbing and Mayor Palumbo. (8-0)

NOES: None

Resolution #2023-60:

Moved: Councilmember-at-Large Uebbing

Seconded: Councilmember-at-Large Covington

A Resolution Awarding a Contract for Lining of Watermains

WHEREAS, in order to rehabilitate water mains, lining can be utilized via epoxy or cured-in-place lining, which essentially creates a new pipe within an existing pipe without excavation or street disturbance/disruption; and

WHEREAS, bids to line water mains using epoxy or cured-in-place for the 12” water main from Main Street to Ontario Street, were opened on May 18, 2023 with six (6) bids received (four for epoxy and two for cured-in-place) with the lowest bid received from Spray in Place Solutions for \$669,259.25 for epoxy lining; and

WHEREAS, the City Manager and Director of Public Works recommend awarding the contract to Spray in Place Solutions, LLC, 45 Knickerbocker Avenue, Suite 1, Bohemia, New York 11716; and

WHEREAS, the 2023 Water Fund Capital Budget included \$300,000 for water main lining and needs an additional \$369,259.25 to complete this project and the City Manager recommends revising the use of ARPA funds as outlined in the attached table;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby awards a contract to Spray in Place Solutions, LLC, 45 Knickerbocker Avenue, Suite 1, Bohemia, New York 11716 for a total cost of \$669,259.25; and

BE IT FURTHER RESOLVED, that the City Council hereby amends the Capital Budgets related to the use of ARPA funds as outlined in the attached table.

Prior to the vote, Councilmember Uebbing asked about the disruption to City streets during this work. Mr. Goodwin said that with all the advancements in technology, this will give the City new piping without having to dig up the streets. Questions on the material getting through to the water supply and Mr. Goodwin noted that the Department of Heath will approve the work and the water work will be inspected. There will be some slight disruption on the line from Jefferson and Phelps Streets. Everything is perfectly safe to use. Councilmember Unrath asked about water pressure. Mr. Goodwin said that there might be some shifts but all in all, not a lot is expected as the size of the pipes is so large as well as the capacity.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 1 Polimeni, Councilmember Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large Lyon, Councilmember-at-Large Covington, Councilmember-at-Large Lyon, Councilmember-at-Large Uebbing and Mayor Palumbo. (8-0)

NOES: None

Resolution #2023-61:

Moved: Councilmember Ward 1 Polimeni

Seconded: Councilmember-at-Large Covington

A Resolution Awarding a Contract for Insertion Valves

WHEREAS, replacing water main valves is an important to properly maintain the water distribution system and there are certain valves that require valve insertion at various locations in the City's water system; and

WHEREAS, bids to provide and install insertion valves at the Water Treatment Plant, at the intersection of Parrish and West Street and at 790 West Lake Drive were opened on May 18, 2023 with two (2) bids received, the lowest from Hydra Tech Inc for a total cost of \$78,515; and

WHEREAS, the Water Fund Capital Budget includes sufficient funds for this work; and

WHEREAS, the City Manager and Director of Public Works recommend awarding the contract to Hydra Tech Inc., P.O Box 256, 180 Pratts Junction Road, Sterling, Mass 01564;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby awards a contract to Hydra Tech Inc., P.O Box 256, 180 Pratts Junction Road, Sterling, Mass for a total of \$78,515.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 1 Polimeni, Councilmember Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large Lyon, Councilmember-at-Large Covington, Councilmember-at-Large Lyon, Councilmember-at-Large Uebbing and Mayor Palumbo. (8-0)

NOES: None

Resolution #2023-62:

Moved: Councilmember Ward 2 Unrath

Seconded: Councilmember-at-Large Lyon

A Resolution Establishing a Citywide Standard for Lighting Poles and Luminaries

WHEREAS, the City of Canandaigua seeks to create a municipal standard for lighting poles and fixtures; and

WHEREAS, standardization will provide efficiency and economy in the stocking of spare parts, familiarity to staff on installation, assembly and maintenance and provide a uniform appearance within the City; and

WHEREAS, the City Manager and Director of Public Works recommend designating Lumec Lighting brand poles and fixture assemblies as the municipal standard to provide the most continuity with what is currently installed throughout the City; and

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby delegates Lumec Lighting brand as the municipal standard for the City of Canandaigua and all contracts and awards moving forward will seek to use this brand for continuity.

Prior to the vote, Councilmember Uebbing asked how this resolution relates to the work passed last year by Council. Mr. Goodwin said it has to do with the aesthetics more than anything else. All of our street lights are LED compliant, energy efficient and dark sky compliant.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 1 Polimeni, Councilmember Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large Lyon, Councilmember-at-Large Covington, Councilmember-at-Large Lyon, Councilmember-at-Large Uebbing and Mayor Palumbo. (8-0)

NOES: None

Resolution #2023-63:

Moved: Councilmember Ward 3 White

Seconded: Councilmember Ward 1 Polimeni

A Resolution Awarding a Contract for Light Poles and Fixtures

WHEREAS, light poles and fixtures are needed for the Central on Main with the Lumec brand being the most consistent with the recent pole installations around the City; and

WHEREAS, bids to provide Lumec lighting poles and fixture assemblies for The Central on Main and pricing for future light poles were opened on May 25, 2023 with three (3) bids received with the lowest bid received by Illuminating Expressions Distributions, LLC; and

WHEREAS, only 4 poles for The Central on Main are planned to be purchased at this time for a total cost of \$31,848; and

WHEREAS, the City Manager and Director of Public Works recommend awarding the contract to Illuminating Expressions Distributions, LLC, 202 West Ridge Road, Rochester, New York 14626; and

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby awards a contract to Illuminating Expressions Distributions, LLC, 202 West Ridge Road, Rochester, New York 14626.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 1 Polimeni, Councilmember Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large Lyon, Councilmember-at-Large Covington, Councilmember-at-Large Lyon, Councilmember-at-Large Uebbing and Mayor Palumbo. (8-0)

NOES: None

Resolution #2023-64:

Moved: Councilmember Ward 4 Dittmar

Seconded: Councilmember-at-Large Lyon

A Resolution Authorizing a Budget Amendment for Refurbishment of Aerial Ladder for L282

WHEREAS, the aerial ladder on Ladder Truck 282 failed its annual aerial inspection and upon reviewing the numerous deficiencies and estimated cost to repair, City Staff determined that a complete refurbishment of the aerial ladder was the most prudent financial and safety decision; and

WHEREAS, the estimated cost for the refurbishment is \$61,750.44 and an appropriation from the Capital Reserve to fund the refurbishment is necessary; and

WHEREAS, the City Manager recommends appropriating \$65,000 from the Capital Reserve to the Capital Fund to fund the estimate and provide for a 5% contingency; and

NOW, THEREFORE, BE IT RESOLVED, City Council hereby authorizes a capital budget amendment appropriating \$65,000 from the Capital Reserve to the Capital Fund for the refurbishment of the aerial ladder on Ladder Truck 282.

Prior to the vote, Councilmember Polimeni asked where the work would be completed for the truck. Mr. Goodwin said that it would take place in Syracuse there they have had work done in the past. Mike Yarger, S. Main Street, he was curious as to why this happened with a fire truck that is only ten years old. Mr. Goodwin said it does get used and maintenance, repairs, will give us another ten years. We cannot have an unsafe truck. Mr. Yarger asked about a warranty on the truck and Mr. Goodwin said he was uncertain as to a warranty. Mr. Goodwin said that this is a prudent and safe decision for the City. The Mayor agrees. Councilmember Uebbing thanked staff for finding a solution to this issue and appreciates the good work by City staff.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 1 Polimeni, Councilmember Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large Lyon, Councilmember-at-Large Covington, Councilmember-at-Large Lyon, Councilmember-at-Large Uebbing and Mayor Palumbo. (8-0)

NOES: None

Resolution #2023-65:

Moved: Councilmember-at-Large Covington

Seconded: Councilmember-at-Large Lyon

A Resolution Awarding a Contract for Permit Construction Plans for the Reconstruction of Coach Street

WHEREAS, Coach Street located Downtown is in need of reconstruction and City Staff believes that such reconstruction can be accomplished utilizing City forces, but a design is necessary to have available for use when time and funding is available; and

WHEREAS, cost estimates for proposals to provide permit construction plans for the replacement of Coach Street from South Main Street to Bemis Street were opened on May 25, 2023 with four (4) proposals received and the lowest received by Capital Consultants Architecture & Engineering for \$17,800; and

WHEREAS, the City Manager and Director of Public Works recommend awarding the contract to Capital Consultants Architecture & Engineering (C2AE), 432 North Franklin, Suite 70, Syracuse, New York 13204; and

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby awards a contract to Capital Consultants Architecture & Engineering (C2AE), 432 North Franklin, Suite 70, Syracuse, New York 13204 of \$17,800; and

BE IT FURTHER, RESOLVED, that the City Council amends the Capital Budgets to appropriate \$4,450 in Sewer Collection Capital, \$4,450 in Water Distribution Capital and \$8,900 from the Capital Reserve to the Capital Fund.

Prior to the vote, Councilmember Polimeni asked about notifying Coach Street residents and Mr. Goodwin said that this project is for the redesign only, not the actual construction. Community input will happen at a later date. Typically, this work would be contracted out in the future, but since our redevelopment of Antis and Bates Streets, City Staff has learned a great deal since the rebuilding and plans to do the design work we will in house. North Bloomfield Road is another that we have resigned by have put that work on pause for now, so depending on grants, there is a slight chance to do both next years. Michael Yarger, S. Main Street asked about the electric poles on Coach, Mr. Goodwin said it is way too expensive to bury lines. Mr. Goodwin noted, should poles need to be moved, RGE will assist with this but right now this is for design only. Mr. Yarger, continued and asked about burying the lines and Mr. Goodwin said that would be hard to accomplish because of many factors and stakeholders involved. Mr. Goodwin said that through the design phase they will evaluate what can be done. Councilmember Lyon said that he appreciates the explanation of the details and Mayor

Palumbo asked if this type of work would over extend DPW. Mr. Goodwin said this will be in the future but may not take place any time soon. A few factors would have to be worked through first and monies applied. It is more of a maintenance issue and that is what DPW is able to do and we are lost at ways to save.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Councilmember Ward 1 Polimeni, Councilmember Ward 2 Unrath, Councilmember Ward 3 White, Councilmember Ward 4 Dittmar, Councilmember-at-Large Lyon, Councilmember-at-Large Covington, Councilmember-at-Large Lyon, Councilmember-at-Large Uebbing and Mayor Palumbo. (8-0)

NOES: None

Ordinances:

Ordinance #2023-003: *(Originally, introduced by Councilmember-at-Large Sutton at the April 6, 2023 meeting, Councilmember-at-Large Lyon motioned to lift this from the table the ordinance, seconded by Councilmember Ward 3 White unanimously carried and passed by voice vote. (8-0)*

Moved: Councilmember-at-Large Lyon

Seconded: Councilmember-at-Large Uebbing

An Ordinance Amending Chapter 585 Solid Waste

WHEREAS, the City of Canandaigua is making changes to its solid waste collection program and certain amendments are required to facilitate these changes; and

NOW, THEREFORE, BE IT ENACTED by the City Council of the City of Canandaigua that:

Sec. 1 Chapter 161 of the Municipal Code, is hereby amended as attached (additions in **bold**, deletions **stricken**); and

Sec. 2 This ordinance shall be effective thirty (30) days following its enactment.

Vote Result: Carried unanimously by voice vote (8-0)

After the vote, Councilmember White asked if there have been any enforcement issues since the adoption. City Manager Goodwin said that yes, since the ordinance all the other provisions are still active, this was just updating the language as previously discussed. The City has been placing stickers as notices to residents and there have been residents who have received notices after leaving trash outside of the toter for pickup. Michael Yarger, s. Main Street, asked the zoning process and Mr. Goodwin said that the process has been set and can be appealed at any time.

Ordinance #2023-004: *(Councilmember Uebbing introduced the ordinance and motioned to placed it on the table.)*

An Ordinance Amending Chapter 669 Requiring Mandatory Inspection and Replacement of Lead Water Service Lines at Property Transfer

Councilmembers discussed the ordinance and the Mayor asked for a Public Hearing to help educate the public to the need. Mr. Goodwin explained that adding this ordinance will help the City in their compliance with the EPA Mandate as discussed in previous meetings. Currently, DPW staff are installing new meters, which will help aid DPW in their work to determine the piping structure of each home. Mr. Goodwin reminded that the

curb to the home is the property owner responsibility, should any changes be needed. He is expected to hear more on potential funding/aide from the government for residents. Mr. Goodwin noted that adding a public hearing on this measure for July, will mean this ordinance will be up for adoption in August. Councilmember Lyon said that they could do a special meeting, but there is really no rush for this. Councilmember Unrath asked about funding opportunities for citizens that may not be able to fund updating the piping. The curb box to the house, the service line is private owned, and this is part of the property transfer process to document the piping. Mr. Goodwin noted that with the EPA's mandate on the City to do with we have until October 2024.

Local Laws:

Manager's Report: Mr. Goodwin reported on the July 4th parade and the explained that the applications for those local organizations looking to participate are online. He thanked the BID office and the Legion for all their hard work on the Memorial Day Parade and reviewed the DOT order for the change in the parade route from now on. He discussed the recent postings regarding Crossing Guards as fake news. Crossing Guards work during the school year only.

Miscellaneous: **Mayor Palumbo discussed the need to reschedule July City Council Meeting, from July 6th to 13th.** He thanked the Legion as well for a great parade on Memorial Day. He thanked the City Staff for their hard work for the parade as well. Councilmember Polimeni said that the Rotary banners that honor the students will be placed on Lakeshore Drive and that they look great. Councilmember Uebbing asked about the signage at Kershaw Park, for the park rules on smoking. Mr. Goodwin noted that there are 15 signs that are placed throughout the area and that those signs were donated years ago. Councilmember White reminded residents to please be mindful when crossing a street. It is tourist season and urges drivers/walkers a like to be on the lookout for one another.

Adjournment: Councilmember Ward 1 White motioned to adjourn the meeting, seconded by Councilmember Dittmar, unanimously carried and passed by voice vote. (8-0). Meeting adjourned at 8:01 pm.

**APPENDIX A
PLANNING COMMITTEE & FINANCE COMMITTEE MINUTES
TUESDAY, JUNE 6, 2023, 7:00 PM
COUNCIL CHAMBERS
HURLEY BUILDING, 205 SALTONSTALL STREET**

Finance Committee: Steve Uebbing, Chair
Ellen Polimeni
Thomas Lyon
Dan Unrath

Other Councilmembers present: Sim Covington, Jr.
Erich Dittmar
Renee Sutton
Karen White

City Staff present: John Goodwin, City Manager
Shawna Bonshak, Assistant City Manager
Nancy Abdallah, City Treasurer
David Hou, Corporation Counsel

Chair Uebbing opened the meeting and welcomed members present. The Auditor from Mengal, Metzger, Barr & Co., LLP has not yet arrived to review the highlights of the 2021 audit. Chair Uebbing moved on to the discuss the Investment Policy. Councilmember Unrath read the Core Values.

Mr. Goodwin reviewed that February of 2019, was the last review of the City's Investment Policy. Mr. Goodwin noted the changes were around the deposits for 2023. This time around only minimal changes are being made. Mr. Goodwin noted the recommended changes which include changing the amounts authorized for the deposits of money and the bands and trust companies authorized for the deposit and the maximum amounts. It also adds a new section related to debt issuances (bonds) and allows the Treasurer to exceed the maximum amounts listed, provided that all other provisions are adhered to. Chair Uebbing asked City Treasurer, Nancy Abdallah to explain NYCLASS and she said it is an investment organization for municipalities and the City is able to invest with and the monies invested is liquid and accessible. Mrs. Abdallah reviewed the invested funds with Council members present. She is looking to add Community Bank, NA to the City's portfolio of banks for the rate they are offering. Due the rates of the invested monies, the City may be looking at projected income of \$800K, said Mrs. Abdallah. Additionally, the City is going out for a Bond of \$25 million to pay for the new firetruck and will leave a balance. Mrs. Abdallah asked to spread out the balance in CDs to invest, they would like approval for debt issuance. Councilmember Polimeni thanked Mrs. Abdallah for her work in looking for the best rates for the City. Chair Uebbing also thanked her for her work. Councilmember White asked about how the \$800k and how it might be spread out. Mrs. Abdallah explained it will be spread across the different fund plans. Councilmember Polimeni motioned to approve the investment plan and send it to full Council, seconded by Councilmember Lyon. Unanimously passed and carried.

Chair Uebbing moved onto the wholesale water agreement and said that it is a bit complicated. Mr. Goodwin reviewed the updated plans and showed the plans to members present. The current existing agreement expired December 31st of last year and they extended an agreement for one years with the Towns. They have been working with the Towns, changing the formula, on a new agreement that is more equitable for all parties as well

as protect the need for capital. Demand continues to grow, capacity issues as well as aging infrastructure needs that have to be addressed. There was a study done last year that suggested keeping the formula from last year, with a 42% markup that the City felt was unfair to the other towns. Mrs. Abdallah reviewed the formula. Under the old formula, we had operating expenses for the treatment plant and 15% of water distribution, administrative overhead at 16%, Capital costs at 100,000.00 and came out to a total part an expense, adding all those up. Then we had our debt service. total waters and gallons, and then it was calculated in cubic feet, 100 cubic feet. And it came down with a rate using this number and the expenses. Now this rate here had an escalator of 42.5% minus 0.02 cents. As an example, Mrs. Abdallah reviewed the Town of Canandaigua's consumption rate is 74%. Councilmember Polimeni asked if the Towns have reviewed this and Mr. Goodwin confirmed they have. The Towns have agreed to this and will be presenting to their Town Boards. Councilmember Polimeni asked how long the last contract cycle was and it was 25 years, noted Mr. Goodwin. Mr. Goodwin noted that the new plan does account for the growth of the surrounding Towns as a concern was noted by Councilmember Polimeni as being a previous struggle point in past negotiations. Chair Uebbing asked if there was a tool in place for emergency needs. Mr. Goodwin said that the goal is to build the capital reserves so we have the necessary resources. He noted that they did just hire a company, which was approved at the last meeting, to help review the entire capital plan and put a preliminary plan in place and also to help go after grants. Chair Uebbing said that this plan is more predictable and thanked Mrs. Abdallah for her work. Councilmember Unrath asked if we had reviewed other municipalities and if this plan is in line with what others do. Mr. Goodwin noted that other areas are water authorities, they that run the water and they mostly own the distribution system as well. So, the City is a little unique in that case where we sell wholesale water to town of Farmington, but we have nothing to do with their distribution system. Councilmember Unrath asked about the potential rate increase for City rate payers for 2024 and Mr. Goodwin noted that it is looking like a rate increase of 9.3%, potentially. The Mayor asked if the Town's usage increases significantly where other Towns do not, how will that affect the capital fund. Mr. Goodwin said that there would be a zipper clause in the agreement that we will look at the percentage, every three to five years of the agreement. Councilmember Sutton asked about the return-on-investment section of the plan. Mrs. Abdallah said due to New York State Law, we are able to take a return on investment and give monies back to the General Fund. Councilmember Lyon motioned to approve the new water fund, seconded by Councilmember Unrath, unanimously passed and carried.

Chair Uebbing moved to reviewing the 2022 Audited Financial Statements, the unaudited 2022 financial statements were presented at the Finance Committee meeting held March 21, 2023. The City's independent audit has been completed and Mike DeVos from Mengal, Metzger, Barr & Co., LLP presented. He reviewed documents previously sent to Council for review. Mr. DeVos said overall, after reviewing all the highlights, the City is in a pretty strong financial position. He reviewed the large operating funds, the general fund, the water and the sewer fund, which, all had increases in, in fund balance for the year. He did not have a lot of comments on the operating fund, no real issues. He reviewed the Technology Fund, which has seen some changes, Mr. Goodwin noted that they have seen a decrease in that fund. Mr. Goodwin said it will be a discussion we have for the 2024 budget, whether the fund is kept or we cave it into the general fund and have an, a formal IT department, as part of our budget. In 2023, City staff is currently planning to have a negative fund balance for technology fund. He said that most of the operating funds are for very specific reason and did not have any issues. They didn't have any deficiencies with this review and did not include a management letter. In years past, they identified areas that have been corrected for payroll and cyber security issues. He thanked Council for their work in make the recommended changes. Councilmember Polimeni asked if they work with other small cities and they said yes, she asked how the City is performing from a comparison standpoint. Mr. DeVos noted that one of things they review is the Comptroller's Office Fiscal Stress scale as the City has 3.3 points for 2021. Mr. DeVos said that this has not happened in as far back as he can remember and was a result of an operating deficit. Councilmember Sutton asked why they were not given the full audited financial statement. Mr. Goodwin said that they were emailed to full City Council last week and posted on the website for residents to review the full details. Mr. Goodwin said that all the financial statements are under the Finance Tab department for the last 20 years as well as the budgets. Councilmember Polimeni motioned to accept the

auditor's report, Councilmember Lyon seconded. Unanimously passed and carried. Chair Uebbing thanked Mr. DeVoss for his time and Mrs. Abdallah for her hard work.

Chair Uebbing moved onto the Towing fees. Mr. Goodwin noted the new fee schedule adopted by the Ontario County Board of Supervisors as well as the City of Geneva. Currently the City schedules shows fees from \$90 to \$175. It has been twelve years since there was an increase in the towing fees as well as other incidental fees associated. Raising the rates will put us in line with the other two municipalities. Councilmember Sutton asked if the current rates were preventing tow companies from working with the City. Mr. Goodwin noted it is a growing concern. Chief Nielsen, spoke and said he was reached out too by several companies and the City has been behind in rates, with the disparities in rates. Councilmember White asked how many times are tow service requites. It varies based on activity, said Chief Nielsen. It's a revolving number due to changes. Councilmember Sutton disagrees with changing the rates, feels it is exploitive and since there are companies working with us, no change is needed. Mayor Palumbo asked why we charge a fee for a flat tire. Chief said that most of the services are a catchall and the cost of the towing is what is concerning to the City. The Mayor said that the cost of the tow companies' services is going up and can understand why a change is cost is needed since it has been 15 years without a change. Chair Uebbing asked to review the charges. Mr. Goodwin said that the County rate is \$175 and ours is \$90.00. Chief said that if we impound the vehicle, the City pays for the cost of the tow, with the person being towed responsible to pay the fees back once the car is released from the impound. Councilmember Sutton asked about the cost of regular tow fees. Councilmember Polimeni suggest to table this and bring it back to finance with the concerns raised. Councilmember Unrath agreed to wait and look at other figures but does think it should go up.

Chair Uebbing moved to the use of Police Reserve, Ballistic Shield. Mr. Goodwin reviewed although the Police Department utilizes body armor for protection, they do not have a ballistic shield as an additional line of defense. The shield provides further protection from ammunition strikes and protects the officer's head, neck and underarm areas. The City Manager and Chief of Police are recommending the purchase of a ballistic shield at a cost of \$4,650 to protect officers from both handgun and rifle ammunition. The purchase would be funded from the Police Asset Seizure & Forfeiture Reserve. It will be in the Sargent's Vehicles. Chief Nielsen explained the request, while reviewing the costs, two separate shootings took place. The Officers had requested this and this provides added protection and cover during issues, like the ones they have experienced. They are looking for a Level 3 protection shield, they reviewed several kinds, and this would prevent a larger hunting rifle penetration and would be the best grade of shield for the money. Councilmember Lyon said that he hopes you wouldn't have to use it but worthy need. Councilmember Unrath asked if they could be kept in the supervisor's car. Chief said yes, that car is used the most and it would be the most appropriate. Mike Yarger, S. Main Street, asked about the cost of training to use these shields. Chief said no, training was required to be use the shield. Mr. Yarger asked on the five-year warranty. Chief said that based on use and it doesn't mean it expires. Mr. Yarger asked on the scratches for the shield and Chief said that it is to be able to see around the shield, similar to protective eye wear. Councilmember Unrath motioned to move the purchase to full Council, seconded by Councilmember Lyon. Unanimously passed and carried.

Councilmember Polimeni motioned to adjourn the meeting, second by Councilmember Unrath, unanimously passed and carried. Chair Uebbing closed the meeting at 8:22pm.

Planning Committee: Thomas Lyon, Chair
Ellen Polimeni
Steve Uebbing
Dan Unrath

Other Councilmembers present: Sim Covington, Jr.
Erich Dittmar

Renee Sutton
Karen White

City Staff present:

John Goodwin, City Manager
Shawna Bonshak, Assistant City Manager
David Hou, Corporation Counsel

Chair Lyon opened the meeting, welcomed members present and reviewed the agenda.

Chair Lyon reviewed, Short Term Rental, this is a continued and ongoing discussion. The City Council enacted a six (6) month moratorium on short rental approvals at their May 4, 2023 meeting. Recommendations and draft proposed changes have been presented to the Council. He reviewed the changes, based on details previously reviewed at other meetings from a memo drafted in April which was presented. The changes are to six key areas, the primary residence requirement in zone districts to define or restrict the number of acceptable days 30, 60 or 90, Chair Lyon said he thought it was in the intention of the committee to limit to 30 days, which is to be considered. He said that the committee may not be in favor of property transfers when a STR is sold, with the exception of the Bed and Breakfasts. The committee did seem in favor of administrative reviews after initial approval and any new owner would have to reapply. Existing STR would have to be reviewed to be renewed, the timeframe for those renewals is up for discussion, as with current regular rentals it is every three years. Rick Brown, Director of Planning and Stan Taylor, Chair of the Planning Commission are here tonight to discuss. Councilmember Uebbing asked about house sharing allowances for people who really have a short, long-term rental. Is that covered or is this under 30 days only? Rick Brown said that the STR ordinance as it is drafted would be instances. The situation describes is that they cannot rent it for less than 30 days, said Mr. Brown. Councilmember Uebbing would like to see a minimum period of usage. Councilmember White would rather see 60 days and asked if there was an occupancy minimum. Mr. Brown said that the occupancy is by a case-by-case basis set by the Planning Commission. Councilmember White said that the compatibility piece asked if that part of the process can be finer tuned or removed, should the property owner not be reliable, can this be removed as the permit can be revoked. Mr. Brown responded and there's probably 20 classifications for special use permits in the city. Every one of them starts off with a threshold question of the planning commission finding that it's consistent with the adjacent properties and consistent with the comprehensive plan. It's one of the reasons we do special use permits is to have a case-by-case review. It's not a simple as of right licensing or as of right under zoning. It is a discretionary review. Councilmember White asked if all special use permits are revocable. Mr. Brown said that yes, if the owner did not abide by the conditions of approval, it would be revocable. Councilmember Uebbing motioned that there be a minimum period of stay and either three or five days stay. Mr. Brown said he is not opposing, but pointed out that would be extremely restrictive. It would, it would really eliminate the large majority of short-term rentals where people use it basically like a hotel room lodging, right? One night, two-night, three nights maximum would be probably get very few stays more than three nights. So, this would completely turn it around. It would, drastically reduce the likelihood of these units being used as short-term rentals. Councilmember Uebbing added his concerns about any resident being able to put their house up as an STR and get approved, fearing that a negative event occurs. Mr. Brown said that even with a 30-day maximum, it could still mean renting every weekend of the summer and that would be disruptive for our neighborhoods. Councilmember Uebbing asked if a permit could be revoked and Mr. Brown said the conditions to revoking a permit would need to be reviewed. Ideally, something of a police presence, loud noise complaints, parking issues would definitely change the character. Chair Lyon said that he is in support of the 30-day time frame, should there be issues after it take effect, Council would be able to readjust. Councilmember Dittmar said that he is more in favor of 90 days. Councilmember Uebbing said that he has a motion on the floor for a three-day minimum, and with a 30-day maximum, seconded by Chair Lyon, Councilmember Polimeni, Chair Lyon and Councilmember Uebbing voted in favor, Councilmember Unrath voted against. Passed and carried. Councilmember Polimeni asked if this would return to ordinance and Mr. Brown said that yes. He said that they have worked through what he believes are the

substantive topics and they will have to go back to Ordinance. He was speaking with Mr. Goodwin and they might just prefer a process and have a process document that is accepted by Council. With all the moving parts being so complex, he feels that David Hou will need to help with crafting the document. As far as the time frame to review an STR, three years is acceptable. Mike Yarger, S. Main Street, spoke and he agrees that three years makes sense and the concern that he has is that Special Use Permits for Short Term Rentals are not transferring to a new owner. So, should a property owner want to see their short-term rental, it might be worth more transferred with the short-term rental than without. Mr. Brown discussed how having local owners with short term rentals, the history of this came from the Planning Commission's concerns. They have had situations where how the property is supervised and in situations where the owner is nearby, we know the owner is watching their property. The concern is with out of State firms, who are buying these properties and you might feel less comfortable with them supervising the property. Mike Yarger asked if these issues will be part of Zone districts. Mr. Brown said that they have thought a lot about this too. A commercial restaurant sells and it has three apartments above it and in that type of example, different classes, different uses, much different than a single-family home, we want to ensure compliance, they are keeping records, paying their taxes. In a zone district, it shouldn't matter. Chair Lyon thanked Mr. Brown for his time.

Chair Lyon moved onto the upcoming CFA grants. Mr. Goodwin reviewed the upcoming CFA grants, the City was not awarded any last year, but will be applying again for our park buildings for Sonnenberg Park. From what is understand, our application did score well according to the Office of Parks, but it is a very competitive grant. We are applying for the ADA kayak launch near the new sidewalk with the Canandaigua Hotel, which we are applying for again. We are adding the replacement outlet at the Lagoon Park, so we are looking to do the engineering and replacement at the Canal and Lagoon Park will be combined. The other grants are for the Water Treatment Plant, infrastructure grants and Main Street grants, we have had one successful for the Gateway Grille, so we hope that it will help a couple of other property owners. Assistant City Manager, Shawna Bonshak will help write that grant. MRB helped write the grant for the Parks, we will not need their help again, we can do in house. The Watershed and Kevin Olvany will help write the others. They will be reviewed by Council at their next meeting. Councilmember White recently attended the NYCOM conference and learned a NYCOM conference recently and has a contact that shared this with her, that there's a lot of money out there for grants and even for some of our big projects. She said that one of the things that has deteriorated the City is the matching funds. She was rather convinced that even with the matching funds, it was still worth having the portion that could be grant funded. She learned that sometimes the matching funds are financed through the grant issuer, which could be the State or Federal that goes through the state at 0% interest. She has the contact information for the person and can connect the City team with that person in the future.

Chair Lyon thanked Councilmember White and Councilmember Polimeni moved to adjourn the meeting into Executive Session to discuss personnel issued and collective bargaining, Councilmember Uebbing seconded. Unanimously passed and carried. Meeting adjourned at 8:52 pm.

PLANNING COMMITTEE & FINANCE COMMITTEE MINUTES

TUESDAY, JULY 11, 2023, 7:00 PM

COUNCIL CHAMBERS

HURLEY BUILDING, 205 SALTONSTALL STREET

VIRTUAL: <https://us06web.zoom.us/j/84662898580>

LIVE STREAM: <https://fingerlakestv.org/live/>

Finance Committee: Steve Uebbing, Chair
Ellen Polimeni
Dan Unrath
Thomas Lyon, via zoom

Other Councilmembers Present: Erich Dittmar
Sim Covington
Renee Sutton
Karen White
Mayor Palumbo

City Staff: John Goodwin, City Manager
Shawna Bonshak, Assistant City Manager
Nick Wood, Corporation Counsel

Chair Uebbing opened the meeting and welcomed members present. He asked the Ward Representatives to review the flooding impact in their Wards from the rain/flooding event that took place earlier this week that resulted in a State of Emergency. Councilmember Polimeni, who represents Ward 1, did not have as much rain as other areas. Water was gathered at the corner of Canandaigua Avenue and Moore, as the storm drains could not keep up with the water. Councilmember Unrath, who represents Ward 2, he has not heard from the Canandaigua Hotel, who did have some water issues, no swimming allowed at Kershaw Park and the Lagoon almost come over the edge but didn't. The water is very high but is receding. The Salvation Army is in the District and is helping residents affected. Chair Uebbing said that the Hotel did get water and had reached out to, City Manager Goodwin. Mr. Goodwin noted the conversation. Councilmember Karen White Ward 3, Bristol, West, Chapin, Clark, had significant flooding damage as well as flooding by the Parrish Street and some areas to Holiday Harbour. Councilmember Erich Dittmar Ward 4, only had a foot in his basement while others had about five feet of water. Neighbors helping each other with flooded basements and cars that have had significant damage. Many residents were without power. It's been a very challenging. Mr. Goodwin most of the damage is along Sucker Brook and the Airport reported 5.8 inches of rain that fell in three hours. Code officials around the regions helped in the assessment of the damage, the amount of help from across the region as well as the State has been incredible. He is very grateful for the help. The County has been running the disaster and Chris DeBolt and his team have been fantastic. Many of our residents have had significant damage from their flooded basements, which we will help pick up. We ask residents to help separate their waste, so we are able to collect it the right way and get it to the right place. We do not have target date yet and expecting this to take several weeks to clean up. 394-4560 is the non-emergency number, and if you need help removing and cleaning out basements, people have been volunteering to help. We know it will be a bit to clean all this help, which started today. Thanking the Town of Canandaigua and the County for their help with electronic waste clean up. Some homes are still without power and RGE and electricians are going house to house to review before getting turned back on. Chair Uebbing asked about FEMA help. Mr. Goodwin said that this event impacted us and affected others in the Hudson Valley, \$500,00 is the County threshold and 35 million across the State. The Governor will have to ask the President to sign off and if it is declared we will help the public with the forms. Kershaw is not safe to

swim so all the beaches are closed, we will continue to test the water and we ask those not to swim outside of the beach areas and is not safe due to bacteria levels. We strongly advise not to swim.

The Mayor said this started Sunday afternoon and thanked the City Emergency crew as it was record number of calls to the 911 Center. He thanked FEMA, all the Fire Department as well as all the involved departments, everyone working together. He spoke with all our representatives and there are programs that he has asked the Governor to help the City obtain for affected residents. He encourages all residents to keep track of every penny that is spent on clean up and every penny spent on anything that will go into replacing items, should aide become available. Chair Uebbing said that aide not a guarantee. The Mayor met with residents, and they all have different levels on insurance and that is concerning. He reminded residents not to use gas powered generators in their homes, outside of their homes for safety reasons. He told residents that there a lot of people who can help.

Mr. Goodwin said that residents need to document everything that they can, insurance comes first and Frank Magnera, Fire Chief has not slept yet, and they did a tremendous job and thanked City Staff for their hard as Mr. Goodwin was not in the area when this first happened. He thanked Shawna Bonshak, Assistant City Manager for all her hard work as well.

Chair Uebbing moved onto the meeting at hand.

Chair Uebbing welcomed, Thomas Gabriel, Assessment Control Clerk, who presented on the Senior Citizen Exemption. He discussed the exemption in detail and provided a recommendation to increase the maximum income limit. The City provides a property tax exemption in accordance with Real Property Tax Law section 467, to senior citizens with limited income. The senior citizens exemption was raised for the City in 2008 to \$28,899. Prior to that, the last revision was in 1995 raising the maximum to \$22,500. Chair Uebbing thanked Mr. Gabriel for his presentation. Councilmember Sutton thanked him as well and asked a few questions on the median income requirements and Mr. Gabriel said he would follow up with her on the answer. She also asked about disabled housing exemptions and Mr. Gabriel explained that there are only 2 – 3 applications. Councilmember Sutton thanked him for his presentation and said it was the most comprehensive presentation she has been a part of.

Chair Uebbing moved onto A Reassessment Discussion. City Assessor Tina Rados presented a full overview of reassessments in an effort to inform the City Council and general public ahead of a revaluation that will take place this fall for the 2024 City Assessment Roll. Ms. Rados said that her presentation will be on the City website for the public to view and learn from. Chair Uebbing encouraged residents to review her thorough work and explained how it is important for everyone to understand this process. Councilmember Polimeni said thanked Ms. Rados for her work and said that as a Professor, she teaches this apart of the local government class and thought this presentation really explains the process. Councilmember Unrath said that he appreciates that the process is as far as possible. Chair Uebbing discussed the motion that may be needed for the Senior Exemption, and Councilmember Sutton said it should go back to Ordinance. Chair Uebbing said it would be a continuing discussion.

Chair Uebbing moved on to the North Bloomfield Road discussion and asked Mr. Goodwin to review. Mr. Goodwin explained that the original plan for the North Bloomfield Road reconstruction included project administration costs being paid for via bond and included in the construction observation and inspection. Because the project was put on hold, a portion of the project administration is included in the final invoice for the engineering and design. A small budget amendment of \$8,717.75 from the Capital Reserve to the Capital Fund to pay the final invoice. Councilmember Unrath motioned to approve the transfer, seconded by Councilmember Polimeni. Unanimously passed and carried onto full Council.

Chair Uebbing reviewed the Wholesale Water Agreement. Mr. Goodwin noted that the Towns have all been presented with the wholesale water agreement with the Towns of Canandaigua, Farmington, and Hopewell. The new proposed formula was developed to be fair to all parties and strengthen the partnership between the City and

the Towns that purchase water while also ensuring that the short- and long-term capital needs of the Water Treatment Plant have the necessary funding. Mr. Goodwin noted that some tweaking may still happen and wanted to get the committee's feedback. Councilmember Polimeni asked how long the agreement will be? Mr. Goodwin said it will be for 25 years. She continued to ask if there were any stipulations on shortening the agreement. Mr. Goodwin said that page 2 of the agreement explained the protections till 2026 and the details around termination, should something happen, with a one-year notice to be given. Mr. Goodwin noted that changes around the 6 million gallons per day, which is the current cap, may need to change as well to potentially down to 4 million gallons. He noted that the agreement was written by himself with legal council and DPW and substantial changes has been made since in initial draft. Councilmember Polimeni asked if the Watershed has review and Mr. Goodwin said that they had not. The Mayor asked about a case scenario how a water main break in one of the towns would be billed through their meter and Mr. Goodwin said yes. Councilmember Unrath asked about the intake pipe and Mr. Goodwin noted that the City has one pipe and part of the reason to add the protections to capital as the plan outlines is should something happen, we would have the funds to cover any need. Councilmember Unrath motioned to approved the agreement and send it onto full Council, seconded by Councilmember Polimeni. Unanimously passed and carried.

Chair Uebbing reviewed the Maintenance Agreement with EMS. Mr. Goodwin met with Matt Sproul, Chief, Canandaigua Emergency Squad. Canandaigua Emergency Squad is in a secure position but does struggle to find reasonably priced repair and service opportunities relative to vehicle maintenance. In the past, the City has had fuel service agreements with the agency. EMS has a fleet of 15 ambulances and other smaller vehicles and proposed that the City provide labor equipment and necessary supervision to perform vehicle maintenance for the Emergency Squad. Councilmember Polimeni motioned to approve the agreement, seconded by Councilmember Unrath. Unanimously passed and carried onto full Council.

Councilmember Polimeni motioned to adjourn the meeting, seconded by Councilmember Unrath. Unanimously passed and carried.

Planning Committee: Ellen Polimeni
Steve Uebbing
Dan Unrath

Other Councilmembers Present: Erich Dittmar
Sim Covington
Renee Sutton
Karen White
Mayor Palumbo

City Staff; John Goodwin, City Manager
Shawna Bonshak, Assistant City Manager

Absent: Thomas Lyon, Chair

Councilmember Uebbing opened the meeting for the absent Chair Lyon due to illness. He reviewed the YMCA Special Event. The YMCA has requested a Special Event permit for their "end of an era" party on July 31st. They are requesting to have Atwater Place shut down for food vendors and will be using the county park and their parking lots for special activities. Mr. Goodwin said that this event is similar to a block party event. Councilmember Unrath motioned to approve the event, seconded by Councilmember Polimeni. Unanimously passed and carried.

Councilmember Polimeni motioned to adjourn to Executive Session needed to discuss pending litigation and lease of real property, seconded by Councilmember Unrath. Unanimously passed and carried. Meeting adjourned at 8:35 pm.

APPENDIX B
ENVIRONMENTAL COMMITTEE & ORDINANCE COMMITTEE MINUTES
TUESDAY, JUNE 20, 2023, 7:00 PM
HURLEY BUILDING, 205 SALTONSTALL STREET
VIRTUALLY: <https://us06web.zoom.us/j/84936309067>
LIVE STREAM: <https://fingerlakestv.org/live/>

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

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

City Staff Present: John Goodwin, City Manager
Shawna Bonshak, Assistant City Manager
Nick Wood, Corporation Counsel

Chair White opened the meeting and read the Core Values. She reviewed the first agenda item. The owners of the Canandaigua Lady presented a two phased dock modification request at May 2nd Planning and Finance Committee meeting. Phase 1 would add a slip on the east side of the dock to allow for a 10-person excursion boat. At the meeting, Council encouraged Mr. Brennan to explore an electric boat and to also look into “educational” elements/programming during small boat excursions. As this is an amendment to the easement for the dock, City Council approval is necessary. John Brennan, Captain of the Canandaigua Lady, was invited to speak. Mr. Goodwin noted that he is unable to attend. Mr. Goodwin said that after his presentation to the Planning Committee, they have been looking into the electric boat, as requested and ways to make it for more educational tours for local non-profits and such. He said it is up to Council and the committee to determine his request to add that morning to the Canandaigua Lady dock. Chair White said that she thought there was going to be plans to review and that is in favor of proceeding to allow for the easement. She understands that the Lake House has a fleet of boards that can be rented to guests as well as Canandaigua Sailboarding that has boats for the summer camp and other rentals, so she sees this as being fair to the other businesses as something to consider. Mr. Goodwin asked that if there were to purchase a regular pontoon boat without an electric motor is council agreeable to that and Chair White said she would like to see this back on the agenda for the next meeting to better understand their plans.

Chair White moved onto the CFA application updates. Assistant City Manager Shawna Bonshak explained that she is in the process of submitting for CFA applications for this round. Last year, the Sonnenberg replacement shelter was submitted but was not approved, so the City is going to try again. Additionally, Ms. Bonshak said the other applications are a Main Street Feasibility Study via NYS Homes/Community Renewal, the ADA Accessible Kayak Launch and the Outlet Structure Study, both via DOS Local Waterfront Revitalization. Each application will require two resolutions from the July Council meeting; a resolution of support and authorization for the City of Canandaigua to apply as well as a resolution declaring a SEQR Type II Action. Councilmember Lyon asked if a public hearing is needed and it is unlikely but Ms. Bonshak will confirm. The only grant that may require

one is the New York State Main Street. Chair White asked about follow up details from past submissions and Mr. Goodwin explained that yes, they did receive feedback on the Sonnenberg application. It did score well, it is just a very competitive grant, so the hopes are for this time around to make the cut. Mr. Goodwin noted other tweaks will be made based on the feedback received and he and Ms. Bonshak will continue to work with Kevin Olvany and his team on submittals.

Chair White, reviewed her requested discussion relative to screening opportunities of the NYSDOT location on Parrish Street/West Lake Drive. She has been approached by someone who noticed that the area seems to be more cluttered along Westlake Drive and wondered if a blockade style fence could be installed. Mr. Goodwin who had met with DOT recently did not inquire on this a possibility but will look into this and follow up with the committee when able. Councilmember Dittmar asked if a screen would be set up on both Parrish and West Lake Drive sides. Chair White said that it would be primarily on the West Lake Drive side. Councilmember Unrath thought it was a good project adding something to help block the view is a great idea as he feels it is an eyesore. Mr. Goodwin said that while there is no formal request we can make, we could write a letter and a resolution would not be needed. His concern is asking DOT to spend money, as a matter of priority, he would rather see monies spent on Main Street and 332 to make repairs. Chair White thought maybe a discussion with our State Representatives could help. Councilmember Polimeni said that they had covered the area in the past, but could be difficult with all the heavy equipment that is coming out of that department. Mr. Goodwin asked for more details on the letter, he would be willing to draft a letter for review.

Chair White reviewed Moorings at the City Pier. The retrofit of the transient/temporary mooring spot for the fire boat has been very well received and notably, makes the mooring process safer and more user friendly. \$7000 is being requested for cleats to be added to the area. Mr. Goodwin discussed the stairwell where the fireboat and transiting docs for the public. They thought it would be a nice improvement for the public to use. Chair White disagrees on spending the monies and Parks could use it to add benches. Boaters should not be tying up there and she does not want to have the areas used for long term docking. Councilmember Dittmar agrees and is against this too. Councilmember Sutton said that she is not a boater and would agree with Chair White.

Chair White moved to close the meeting at 7:25 pm.

Ordinance Committee:

Erich Dittmar, Chair
Sim Covington, Jr.
Renée Sutton
Karen White

Other Councilmembers Present:

Thomas Lyon
Ellen Polimeni
Steve Uebbing
Dan Unrath
Mayor Palumbo

City Staff Present:

John Goodwin, City Manager
Shawna Bonshak, Assistant City Manager
Nick Wood, Corporation Counsel

Chair Dittmar opened the meeting and welcomed present. He welcomed a guest, Tom Buldger, who resides at Middle Cheshire Road in the Town of Canandaigua. He is a Health Education Officer for the Healthy Cities

Project of the World Health Organization. He discussed his work in mental health with children and is advocating for the City to adopt a ban on symbols of hate speech, similar to what New York State is looking to do. He would like to see the City draft an ordinance of some sort where this is banned. He would like to see some kind of penalty for any time of legislation that the City could put together may be a deterrent. He thanked the committee for allowing him to speak. Chair Dittmar said he would like to add this to a future agenda. Councilmember Lyon said that there was a statement on hate and bigotry around 2017 that the City came out with. He is wondering if something can be updated. Councilmember White wondered if school is a public property. Mr. Buldger said that what he would like to see are fines paid for offences be used to pay for a citizen scholarship to a graduating senior at Canandaigua Academy. Councilmember Uebbing said the School as well as schools across the State, code of conduct prohibits hate language and symbols. The Mayor agrees to review the legalities for a future meeting. Chair Dittmar said he would look into this more for a future meeting.

Chair Dittmar moved to Short Term Rentals, this is a continuing discussion from the May 4th Council meeting where, the City Council enacted a six (6) month moratorium on short rental approvals. Recommendations and draft proposed changes have been presented to the Council. Reviewing the draft ordinance, he agrees with everything that has been updated, except limiting the time frame of the rental to 30 days. He would like to see 90 days as the maximum time for the rental. Councilmember White agrees and supports 90 days maximum rental time frame as well and so does Councilmember Covington. Councilmember White said that she feels that the reason Council is reviewing this so closely is to aid both Planning and Zoning's Boards work a little easier and less subjective. She believes the compatibility piece is tough part of the process. Councilmember Uebbing opted to clarify that if he owns a home on any residential street, he can vacate that home for the summer months and it turn it into an AirBNB for every night of the summer, to clear up what Chair Dittmar is proposing with the 90-day maximum rental. Councilmember Uebbing said he opinion, is that there is a real potential the change the characteristics of a residential neighborhood which really isn't a semi-business commercial neighborhood. He is in favor of 30-day rental time frame only in R-1 neighborhoods. He would prefer restricted use in residential neighborhoods and will be voting against 90 days. Chair Dittmar said that this is where the revocability would come into play should a property owner vacates their home for three months. Subjectivity would come into focus and their STR would be revoked. Councilmember Polimeni said that she is also opposed to 90 days maximum. She feels it could really change the character of neighborhoods and we pride ourselves on the sense of community Canandaigua fosters. She would rather see it limited. Councilmember Lyon said that he feels a lower timeframe is needed, it will provide the opportunity to change later, should everything be working out. He likes the idea of being to expand the ordinance as needed. Councilmember Uebbing discussed his time in St. Augustine FL where may were short-term rentals. The short-term rentals required a minimum of 7 nights stay; it attracted a certain clientele. He feels that since we are a concert venue town, he has a problem with residential houses where it can become an issue. He would like to see a public hearing once the ordinance is drafted. He doesn't want to see the residential district harmed, he is fine with short term rentals in commercial or business areas. Councilmember Covington believes having a public hearing will be good and hopes the public will come out and talk with full council on this issue. Councilmember Sutton said that the committee agrees to the 90 days and what is reasonable here, night to night, min stay that attacks a long stay, what are the dealbreakers? She understands the need for a limit but wants to understand the full council. Councilmember Uebbing reviewed St. Augustine's short term rental ordinance and feels that if we take so many short-term rentals in residential districts, we lose long term housing. So, balance the needs to the community with long term rentals for the families who need long term rentals. Having no limit is something he cannot get behind. He heard from residents on Pearl Street and Holiday Lane where residents who object. He feels the way things are being handled now can create real chaos for our residential neighborhoods. Councilmember White motioned to move the ordinance forward as written with the stipulation that it is for a total of 90 days. Councilmember Sutton seconded. Before the vote, Nick Wood said that David Hou had asked for clarification regarding, section four: is the intent that the for properties that have an existing permit that they now, will it will be approved under this statute for three years from the adoption, not statute. It is currently written as three years from the date of approval with the addition of the provisions outlined in. Rick Brown, Director of Planning said it is not clear. He still needs to think it through. Councilmember

Uebbing asked Mr. Brown if other municipalities are struggling with this use. They are. Mr. Brown said that the City of Canandaigua are sticker than any, any that he is aware of with Buffalo and Syracuse that he has read through. Councilmember Lyon suggested using through three years from the anniversary date as the date it was approved. Mr. Brown agrees. The Mayor asked section one, if that needs to be changed. Mr., Goodwin said that ideally, you could rent your short term rental for 30 or less days and then you can do that for 90 times calendar days. Councilmember Covington said that he feels that Councilmember Sutton made a good point earlier to outside of the 90 days and feels that a public hearing will be great help to navigate this process. Chair Dittmar called for a vote on the motion, unanimously passed and carried. Councilmember Polimeni advocated bring as much detail out to the public as possible for their understanding. Mr. Goodwin said that putting together a one-page public education piece could be working on and Mr. Brown agrees. They will work together to get something out on the website.

Councilmember Sutton motioned to move into Executive Session to discuss proposed, pending or current litigation, employment history of particular individual and proposed acquisitions, sale or lease of real property. Seconded by Councilmember White, unanimously passed and carried. Meeting adjourned at 8:00 pm.

Respectfully submitted,
Erin VanDamme
City Clerk