

MINUTES OF THE CANANDAIGUA CITY COUNCIL MEETING
SPECIAL MEETING
THURSDAY, FEBRUARY 13, 2014 8:30 P.M.
HURLEY BUILDING, 205 SALTONSTALL STREET
City Website: canandaiguanewyork.gov

Mayor Polimeni called the meeting to order at 8:30 PM

Pledge of Allegiance:

Roll Call:

Members Present: Councilmember Ward 1 Nick Cutri
Councilmember Ward 2 Ian Boni
Councilmember Ward 3 Karen White
Councilmember Ward 4 Cindy Wade
Councilmember-at-Large William Taylor
Councilmember-at-Large James Terwilliger
Councilmember-at-Large David Whitcomb
Mayor Ellen Polimeni

Members Absent: Councilmember-at-Large Maria Bucci

Also Present: City Manager David R. Forrest
Corporation Counsel Michele O. Smith

Review Core Values: Councilmember-at-Large Terwilliger 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.

Resolutions:

Resolution #2014-012:

Councilmember-at-Large Whitcomb read the following Resolution and moved for its adoption. Councilmember, Ward 1 Cutri seconded the motion.

**A RESOLUTION ACCEPTING AN APPLICATION FOR FINAL SITE PLAN
APPROVAL FOR PHASE I OF THE NORTH SHORE PROJECT**

WHEREAS, The City Council has received the final site plan application relative to the North Shore – Phase 1 project; and

WHEREAS, pursuant to Municipal Code §850-125(F), upon receipt of the application the City Council must refer said application to the County Planning Board for its report on the project;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the City accepts the final site plan application submitted for Phase 1 of the North Shore project as complete and refers the application to the County Planning Board for their report; and

BE IT FURTHER RESOLVED that in accordance with Municipal Code §850-125(F), the County Planning Board shall issue a report to the City Council on the final site plan application within 30 days of this referral.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES:Council Member Ward 1 Cutri, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Taylor, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2014-013:

Councilmember-at-Large Whitcomb read the following Resolution and moved for its adoption. Councilmember-at-Large Taylor seconded the motion.

**A RESOLUTION SETTING THE TIME AND PLACE OF A PUBLIC HEARING ON
THE NORTH SHORE PROJECT- PHASE 1
FINAL DETAILED SITE PLAN**

WHEREAS, Section 850-125(G) of the City of Canandaigua Municipal Code requires a public hearing on a final detailed site plan;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that a public hearing regarding the North Shore Project-Phase 1 Final Detailed Site Plan be held during the City Council Meeting held at 7:00 p.m. on March 6, 2014 in the City Council Chambers, City Hall, 2 North Main Street, Canandaigua, New York; and

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

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

Resolution #2014-014:

Councilmember-at-Large Terwilliger read the following Resolution and moved for its adoption. Councilmember-at-Large Taylor seconded the motion.

**A RESOLUTION SUPPORTING THE
PILOT INCREMENT FINANCING PROPOSAL FOR THE
CANANDAIGUA LAKEFRONT REDEVELOPMENT PROJECT**

WHEREAS, Morgan-LeChase Development, LLC ("Developer") has obtained sketch plan approval and rezoning for purposes of constructing and developing the Canandaigua Lakefront Redevelopment Project (the "Project"); and

WHEREAS, the Developer is in the process of obtaining final site plan approval for Phase 1 of the Project but anticipates the Project will face high development costs due to environmental and subsurface conditions, and lack of outside funding sources; and

WHEREAS, the Developer has submitted an application to the Ontario County Industrial Development Agency for financing assistance through a PILOT Increment Financing ("PIF") program agreement, as well as sales tax and mortgage tax abatements; and

WHEREAS, the City Council has reviewed the application, requested and analyzed additional relevant information, and conducted several meetings relative to this proposal:

NOW, THEREFORE, BE IT RESOLVED that the City of Canandaigua hereby establishes its support of, and consent to, the PILOT Increment Financing Application of Morgan-LeChase Development, LLC relative to the Canandaigua Lakefront Redevelopment Project; and

BE IT FURTHER RESOLVED that the City Manager and Corporation Counsel are authorized to negotiate the appropriate PIF Agreement with the Ontario County Industrial Development Agency, Morgan-LeChase Development LLC or company to be established later, and the Canandaigua City School District to affect such purpose.

Discussion:

Councilmember-at-Large Whitcomb summarized the PUD meeting and read a prepared statement by Councilmember-at-Large Bucci, in her absence, in opposition to this resolution and the PIF.

Councilmember-at-Large Terwilliger discussed four factors relative to how much payment all the tax jurisdictions receive.

Two are non-negotiable -bank interest and tax increase.

Two factors are negotiable – 1-guaranteed increase of 1% on base payments for years 1-6, which is then changed to an increased tax assessment of the property beginning year 7 and forward. 2-Length of PIF – 25 years vs the 30 years as proposed. Taxing jurisdictions would receive more taxes in year 26 but less the first 25 years. Compared Net Present Value would be \$1.593 M for 25 years and \$1.62 M for 30 years, therefore the 30 years are more favorable.

Councilmember Ward 3 White hesitantly supported this resolution in Committee but thinks it is a bad trend that businesses and developers all expect PIF's and PILOT's and thought more information should have been provided as to why they need 11 M. She will support it.

Councilmember-at-Large Whitcomb reviewed all the other tax credits that are available for residents to apply for and this is no different. This isn't a question of whether or not tax credits in general are a good thing, but whether this applicant's request should be granted.

Councilmember-at-Large Taylor is in favor of this resolution. If we do nothing, we get nothing but if we do something we get a lot.

Councilmember Ward 2 Boni supports this resolution and believes the development can only be good. We can do this little bit to support it.

Councilmember, Ward 1 Cutri seconds previous discussions and thinks it is a partnership with a sincere developer. This is a great opportunity.

Councilmember Ward 4 Wade supports all of Jim's calculations. There is no risk to the City, only positive.

Public Comments:

Gary Dixon – Council should wait for IDA cost benefit analysis.

Ernie Mulrooney – Doesn't believe the community has been properly informed.

Joe Nacca – Against the PIF and Messenger said that 78% of the public was opposed to it.

Alison Grimes – Chamber of Commerce supports the project.

Vote on Resolution:

The motion CARRIED UNANIMOUSLY on the following vote:

AYES:Council Member Ward 1 Cutri, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Taylor, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Regular Session:

Councilmember-at-Large Taylor moved to adjourn the regular session at 9:42 PM. Councilmember-at-Large Whitcomb seconded the motion.

Vote Result: Carried unanimously by voice vote

Nancy C. Abdallah
City Clerk-Treasure