

MINUTES OF THE CANANDAIGUA CITY
COUNCIL MEETING
THURSDAY, JUNE 2, 2016 7:00 P.M.
City Council Chambers
City Website: canandaiguanewyork.gov

Mayor Polimeni called the meeting to order at 7:00 PM

Pledge of Allegiance:

Roll Call:

Members Present: Councilmember Ward 2 Anita Twitchell
Councilmember Ward 3 Karen White
Councilmember-at-Large Matt Martin
Councilmember-at-Large Robert O'Brien
Councilmember-at-Large James Terwilliger
Councilmember-at-Large David Whitcomb
Mayor Ellen Polimeni

Members Absent: Councilmember Ward 1 Nick Cutri
Councilmember Ward 4 Cindy Wade (Arrived at 7:20 PM)

Also Present: City Manager Ted Andrzejewski
Corporation Counsel Michele O. Smith
Clerk-Treasurer Nancy C. Abdallah
Assistant City Manager John D. Goodwin

Review of Community Core Values: Councilmember-at-Large Martin 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:

Councilmember-at-Large Terwilliger moved for the approval of the Council Minutes of May 5, 2016. Councilmember-at-Large Whitcomb seconded the motion.
Vote Result: Carried unanimously by voice vote. (7-0)

Recognition of Guests:

- Earl Coleates, former Mayor of Canandaigua, presented suggestions to the City Council for the use of a \$10,000,000 Upstate Revitalization Initiative that the City of Canandaigua is competing for. The suggestions include fixing the break wall east of the City Pier, clean up of Lagoon Park, buy and tear down the steel structure on the lake (former Steamboat Landing), and build a two story parking garage downtown.

Committee Reports:

Planning/Development: No Committee meeting since last Council Meeting

Environmental/Parks: Councilmember Ward 1 Cutri reported that the Environmental/Parks Committee met on May 10th and discussed the following.

SEE COMMITTEE NOTES - APPENDIX A

- MS4 Annual Report
- Special Permit for Lakefront Art Show Alcohol in the Park
- Dog Park
- Pesticide Moratorium
- City Docking Policy

Ordinance/Charter Review: Councilmember-at-Large Whitcomb reported that the Ordinance/Charter Review Committee met on May 17th and discussed the following.

SEE COMMITTEE NOTES – APPENDIX B

- Overview of Charter Review
- West Ave Staging Lot
- Fireworks Zoning Code Amendment
- Tobacco Use in City Parks
- Litter Law

Finance/Budget: Councilmember-at-Large Terwilliger reported that the Finance/Budget Committee met on May 24th and discussed the following:

SEE COMMITTEE NOTES – APPENDIX C

- Review of 1st QTR Financials
- Amendment Parks Capital Budget
- Amendment Fire Department Vehicle Repairs
- Chlorination System Engineering Contract
- Priority Services Agreement with Ontario County
- Sales Tax Agreement with Ontario County
- Establishing Parks Maintenance Assistant
- Establishing Three Additional Fire Fighter Positions
- Continuation of Budget Discussions – Special Events Policy

Resolutions:

Resolution #2016-037:

Moved: Councilmember-at-Large Terwilliger

Seconded: Councilmember Ward 2 Twitchell

A RESOLUTION ADOPTING A MORATORIUM ON PESTICIDES

WHEREAS, the City Council adopted the Turf and Landscape Management Policy at its May 6, 2010 via Resolution #2010-037; and

WHEREAS, at the City Council's February 4, 2016 meeting Mr. Joel Freedman requested that Council consider the a 5 year moratorium on the use of pesticides on City property; and

WHEREAS, pesticides have the potential to be harmful to the environment, people and wildlife; and

WHEREAS, one of the City core values is stewardship which includes the careful and responsible management of our natural resources, namely Canandaigua Lake and its watershed, to protect the health, safety and general welfare of the public;

NOW, THEREFORE, BE IT RESOLVED, that City of Canandaigua Turf and Landscape Management Policy for all City-maintained property is amended, attached hereto and made a part therein, to establish a moratorium on the use of pesticides for a duration of five (5) years along with an emergency application procedure and reporting in order to achieve an appropriate balance between the public need to safeguard the resources of the City and the health, safety and general welfare of its residents

Discussion:

Councilmember-at-Large Whitcomb will not support this resolution because we already have a policy that Council adopted in 2010 and we do not use these products on a regular basis so this change is not needed. Staff does not support this change and has indicated that we will lose Northeast Park within 2 to 3 years. Councilmember Ward 4 Wade will not support this resolution and agrees with Councilmember-at-Large Whitcomb. Over the last five years never once reviewed this item on the strategic plan. She cannot find any information on a link between pesticide use and illness using our existing policy, which is one application every three to five years. Our practice of "Integrated Pesticide Management" is supported by Cornell and NYS. Less than 50% of the land in Canandaigua is in the Watershed and a small amount which represents the parks. Also had discussions with school groundskeepers who say this is a bad practice.

Councilmember-at-Large Martin also does not support this resolution because it is irresponsible to go against staff recommendations. We will lose our investment in Northeast Park and it will be unsafe for use. Councilmember Ward 2 Twitchell supports this resolution and handed out examples of more stringent policies in other communities. This resolution made compromises which allow a safeguard for DPW in cases of emergency. This is a step in the right direction to direct staff to use all other alternatives available instead of pesticides.

Councilmember-at-Large Terwilliger supports this resolution and considers this to be a trial basis. There is an escape clause for public safety and provides reporting every six months.

Councilmember Ward 3 White stated that this is not the same moratorium we started out with but it is a start in the right direction.

Joel Freedman, 329 North Main St., stated that this should include other language such as defining what "emergency" when determining if pesticides should be used. He recommends that this go back to Council because this resolution needs more work.

Stephen Uebbing, Roseland Lane, is in favor of this resolution and the public discussion concerning the health effects of pesticides. This policy is a matter of checks and balances.

Motion:

Councilmember-at-Large Whitcomb moved to table this resolution and send it back to committee for further review. Councilmember Ward 4 Wade seconded the motion.

The motion FAILED on the following vote:

AYES: Councilmember Ward 4 Wade, Councilmember-at-Large Martin, and Councilmember-at-Large Whitcomb.

NOES: Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, and Mayor Polimeni.

Vote on Resolution:

The motion CARRIED on the following vote:

AYES: Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, and Mayor Polimeni.

NOES: Councilmember Ward 4 Wade, Councilmember-at-Large Martin, and Councilmember-at-Large Whitcomb.

Resolution #2016-038:

Moved: Councilmember-at-Large Whitcomb

Seconded: Councilmember Ward 4 Wade

**A RESOLUTION GRANTING A SPECIAL PERMIT
FOR ALCOHOLIC BEVERAGES IN KERSHAW PARK**

WHEREAS, §519-14 of City Code prohibits the possession, carrying or consumption of alcoholic beverages in or upon any City park, unless a special permit is granted by City Council; and

WHEREAS, Lakefront Productions Inc. (Jim LeBeau, President), the promoter of the Lakefront Arts Show requested that City Council grant such a permit to allow the art show to have a wine and beer sampling area adjacent to the bathhouse parking lot on July 30th and July 31st as part of the event; and

WHEREAS, the Environmental/Parks Committee, at its May 10, 2016 meeting reviewed and recommended that such a permit be granted by City Council;

NOW, THEREFORE, BE IT RESOLVED, by the Canandaigua City Council that the City of Canandaigua hereby grants a special permit to Lakefront Productions Inc. to allow a beer and wine sampling area in Kershaw Park at the time and location listed under the following conditions:

- 1) Signs and temporary barriers shall be positioned to restrict participants at the event from taking alcoholic beverages out of the designated area and into the park;
- 2) All reasonable steps shall be taken to insure that participants wishing to consume alcohol are over the age of 21;
- 3) The placement of any equipment, property, structures and/or fences shall not obstruct the public path within the park;
- 4) Lakefront Productions Inc. shall provide the City Clerk/Treasurer with insurance in the amounts as set by the Clerk/Treasurer and shall execute a hold-harmless agreement prior to the date of the event; and

- 5) Lakefront Productions Inc. shall adhere to all other rules and regulations of the New York State Liquor Authority for such activity.

The motion CARRIED on the following vote:

AYES: Council Member Ward 2 Twitchell, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, and Councilmember-at-Large Whitcomb.

NOES: Councilmember Ward 3 White, Councilmember-at-Large Terwilliger, and Mayor Polimeni.

Resolution #2016-039:

Moved: Councilmember-at-Large O'Brien

Seconded: Councilmember Ward 4 Wade

**A RESOLUTION AUTHORIZING A
MUNICIPAL SERVICES AGREEMENT WITH ONTARIO COUNTY**

WHEREAS, Ontario County owns and operates County facilities within the City of Canandaigua; and

WHEREAS, the City of Canandaigua provides a range of municipal services such as fire protection, emergency medical services, street maintenance, and snowplowing for these facilities which are necessary for their daily operations; and

WHEREAS, Ontario County does not pay any property taxes in support of all the municipal services they receive; and

WHEREAS, Ontario County has formally recognized the municipal services they receive by entering into an agreement with the City of Canandaigua which includes an annual payment to the City of Canandaigua for the services received; and

WHEREAS, the most recent agreement has expired and Ontario County proffered a successor agreement which was reviewed and approved by the Finance/Budget Committee at its May 24, 2016 meeting;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the City Manager is hereby authorized to enter into a Municipal Services Agreement with Ontario County.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2016-040:

Moved: Councilmember-at-Large Terwilliger

Seconded: Councilmember-at-Large Martin

A RESOLUTION AMENDING THE 2016 CAPITAL BUDGET

WHEREAS, the 2016 Adopted Capital Budget included \$5,000 paint the skate park at Jefferson Park with professional graffiti work in an attempt to prevent unauthorized graffiti; and

WHEREAS, additional research has found that this solution to graffiti is not as effective as originally thought and in addition the quotes received were in excess of \$10,000; and

WHEREAS, the Kershaw Park Bathhouse fire alarm system has been malfunctioning for since last year and multiple attempts to repair the system have been unsuccessful; and

WHEREAS, staff recommended that City Council repurpose the \$5,000 appropriated for the skate park towards replacing the fire alarm system at the Kershaw Park Bathhouse and said recommendation was reviewed and approved by the Finance/Budget Committee at its May 24, 2016 meeting;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby repurposes \$5,000 within the 2016 Capital Budget from the skate park for the replacement of the Kershaw Park Bathhouse fire alarm system.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2016-041:

Moved: Councilmember Ward 4 Wade

Seconded: Councilmember Ward 2 Twitchell

**A RESOLUTION AMENDING THE
GENERAL FUND – PUBLIC SAFETY BUDGET**

WHEREAS, the 2016 Adopted Budget includes funding for known and anticipated repairs of Fire Department vehicles/equipment; and

WHEREAS, during 2016 spring preventative maintenance activities and inspections unanticipated repairs were identified with the total costs of the repairs totaling \$17,806.75; and

WHEREAS, in order to facilitate the repairs an appropriation from contingency is required; and

WHEREAS, City staff recommended a budget amendment transferring \$20,000 from contingency to fund the \$17,806.75 in repairs and provide a contingency of \$2,193.25 which was reviewed and approved by the Finance/Budget Committee at its May 24, 2016 meeting;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby authorizes a budget amendment to the 2016 General Fund Public Safety budget in the amount of \$20,000 from the Contingency budget.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2016-042:

Moved: Councilmember Ward 2 Twitchell

Seconded: Councilmember Ward 4 Wade

A RESOLUTION AUTHORIZING THE CREATION OF A SEASONAL PARKS MAINTENANCE ASSISTANT

WHEREAS, the City utilizes seasonal staff to assist in completing the necessary work to improve and maintain its parks; and

WHEREAS, Ontario County Civil Service found that the duties performed by one of the seasonal staff members were consistent with the duties of a Parks Maintenance Assistant which necessitated that the City create said position; and

WHEREAS, the City submitted the necessary documentation to Ontario County Department of Human Resources and the Ontario County Department of Human Resources has classified the a said position and notified the City that the position must be created by Resolution of the City Council;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the creation of a seasonal Parks Maintenance Assistant position.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2016-043:

Moved: Councilmember-at-Large Martin

Seconded: Councilmember Ward 4 Wade

A RESOLUTION AUTHORIZING THE CREATION OF THREE PART-TIME FIREFIGHTER POSITIONS

WHEREAS, the City of Canandaigua desires to add three (3) part-time Firefighter positions to increase the overall availability of part-time personnel; and

WHEREAS, the authorized part-time staffing of the Fire Department will be increased to a total nine (9) personnel;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby authorizes the creation of three (3) additional part-time Firefighter positions.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2016-044:

Moved: Councilmember Ward 3 White

Seconded: Councilmember Ward 4 Wade

**A RESOLUTION AWARDING AN ENGINEERING SERVICES CONTRACT
FOR THE DESIGN OF A NON-GASEOUS CHLORINATION SYSTEM**

WHEREAS, the Water Treatment Facility currently uses gaseous chlorine to disinfect drinking water and engineering services were solicited to identify and design an alternative non-gaseous systems; and

WHEREAS, a proposal opening was held on May 19, 2016 to receive proposals from qualified design consultants; and

WHEREAS, six consultants were contacted, one failed to respond, and five submitted proposals; and

WHEREAS, LaBella Associates submitted the low proposed fee of \$30,700; and

WHEREAS, funding for this project is included in the 2016 Water Treatment Facility Capital Budget; and

WHEREAS, the Director of Public Works and the City Manager recommend a contract be awarded to LaBella Associates, 300 State Street, Suite 201, Rochester, NY 14614, to supply engineering and design services for this project;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the City Manager to execute a professional services contract with LaBella Associates, 300 State Street, Suite 201, Rochester, NY 14614 for engineering and design services for a non-gaseous chlorination system at the Water Treatment Facility for a not-to-exceed amount of \$30,700.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2016-045:

Moved: Councilmember-at-Large Whitcomb
Seconded: Councilmember Ward 4 Wade

A RESOLUTION APPROVING ADDITIONAL ARCHITECTURAL STANDARDS

WHEREAS, the Canandaigua City Council adopted Architectural Standards by Resolution 2002-175; and

WHEREAS, the City Planning Commission has recommended that the Architectural Standards be amended to include and describe three unique areas of the City; and

WHEREAS, these additional Standards were reviewed at the March 15, 2016 meeting of the Planning Committee of the City Council; and

WHEREAS, on May 5, 2016 after a public hearing, the City Council adopted Ordinance 2016-003, which reaffirms that the Architectural Standards may be adopted by Resolution.

NOW THEREFORE, BE IT RESOLVED that the City Council hereby approves and adopts the Additional Unique Districts to be amended to the Architectural Standards, which are attached in its entirety to this Resolution.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Ordinances:

Ordinance #2016-004: *(Introduced and tabled at the May 5, 2016 City Council Meeting)*

Lift from the table:

Moved: Councilmember-at-Large Terwilliger
Seconded: Councilmember-at-Large Whitcomb

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

Vote on Ordinance:

Moved: Councilmember-at-Large Terwilliger
Seconded: Councilmember Ward 2 Twitchell

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Twitchell, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large O'Brien, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Ordinance #2016-005:

Councilmember Ward 3 White read the following Ordinance and placed it on the table.

**AN ORDINANCE AMENDING CHAPTER 519 OF THE MUNICIPAL CODE ENTITLED
"PARKS AND RECREATION AREAS" TO PROHIBIT USE OF TOBACCO IN ALL CITY
PARKS**

Be it enacted by the City Council of the City of Canandaigua as follows:

SECTION 1. Chapter 519-7 (Disorderly Conduct) is hereby amended to read as follows [deletions stricken]:

§519-7 Disorderly conduct.

- A. No person shall disturb the peace and good order in any park by fighting, quarreling, or wrangling with loud voices or shouts, threatening by violence to the person or property of others, or engaging in riotous clamor or tumult.
- B. No person shall congregate with other persons in a public place and refuse to comply with a lawful order of the police, Park Patrol or the Director of Public Works to disperse or leave the park.
- C. No person shall have or carry any firearms, switchblade, hunting knife, slingshot, dagger, metal knuckles, or other dangerous weapons concealed on or about his person while in the park.
- D. No person shall use obscene, profane or abusive language while in the park.
- E. No person shall appear nude in public or dress, or undress, other than in facilities provided therefor; enter or remain in an area or facility in such attire as may be prohibited by sign; or bathe in other than a bathing suit safe and suitable for such purpose.
- F. No person shall operate a skateboard, scooter or bicycle within The Commons.
- G. No person shall operate a skateboard, scooter, bicycle, or rollerblades on any tennis court or basketball court in any City park.
- H. No person shall smoke cigarettes, cigars, pipes, or use any other form of tobacco in, on, or within ~~100 feet of any playground in all~~ City parks and in the Kershaw Swim Beach area.

SECTION 2. This ordinance shall take effect thirty (30) days from its adoption.

Local Laws: None

Manager's Report: City Manager Ted Andrzejewski reported the following:

- Attended the ICMA -NY conference in Albany along with the Assistant City Manager John Goodwin.
- Working on the new sales tax agreement.
- We are competing for the \$10 million Downtown Revitalization Grant.

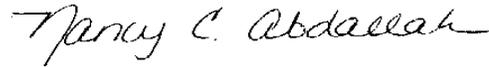
Miscellaneous:

- Mayor Polimeni read a proclamation for “Small Cities Week” on June 6th -12th.

Adjournment

Councilmember Ward 3 White moved to adjourn the regular session at 8:47 PM. Councilmember Ward 4 Wade seconded the motion.

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



Nancy C. Abdallah, Clerk Treasurer
City of Canandaigua

APPENDIX A
ENVIRONMENTAL/PARKS COMMITTEE
Tuesday, May 10, 2016
7:00 p.m.
Hurley Building Conference Room

Committee: Nick Cutri, Chair; Matt Martin; Anita Twitchell, David Whitcomb

Other Council Members: Ellen Polimeni; Jim Terwilliger; Robert O'Brien; Cindy Wade; Karen White

Staff: Ted Andrzejewski; John Goodwin; Michele Smith; Jim Sprague; Kevin Olvany

Meeting called to order at 7:00 PM

1. Municipal Separate Stormwater Sewer Systems (MS4) Annual Report

The City is required to submit an annual report to the New York State Department of Environmental Conservation (NYSDEC) as part of being covered under the State Pollutant Discharge and Elimination System (SPDES) General Permit for Storm Water Discharges from MS4s. There are six minimum stormwater management control measures involved in the report (1) Public education and outreach; (2) Public participation and involvement; (3) Illicit discharge detection and elimination; (4) Construction site storm water runoff control; (5) Post-construction stormwater management and (6) Pollution prevention & good housekeeping practices for municipal operations.

Kevin Olvany briefly presented the annual report.

2. Special Permit – Lakefront Arts Show

The promoter of the Lakefront Arts Show, Jim LeBeau, has requested a special permit for wine and beer sampling within Kershaw Park as part of the event. Mr. LeBeau is requesting a permit for a beer and wine sampling area for local breweries and wineries in the grass area south of the parking lot. . §519-14 of City Code prohibits alcoholic beverages within City parks unless a special permit is granted by the City Council. All of the conditions outlined in §519-14 are agreeable to Mr. LeBeau. City staff has reviewed the request recommends that the Committee approve the special permit request. Jim LeBeau present to discuss the 2nd annual show. Registered Artists have doubled from last year. 16 brewery and wineries listed on the Canandaigua Lake trail so would like to set up small sampling tent (wineries would be able to sell for off-site consumption but not breweries). David Whitcomb made motion to approve, 2nd by Matt Martin. Vote 4-0

3. Dog Park

The dog park concept began as a grass roots effort initiated by a resident-formed volunteer group, Canandaigua Canine Campus (CCC). It is now a city initiative, led by Mayor Polimeni and Councilmembers Terwilliger and Whitcomb, utilizing the group to provide well-researched input into the design of a dog park, create a business plan and fundraise. Several locations for a dog park have been considered and rejected due to size (CCC estimates the need for about two acres), neighbor concerns, environmental issues, and/or estimated costs. Another location, 97 Buffalo Street, has been identified and a conceptual plan and budget has been developed. Mayor Polimeni and Councilmembers Terwilliger and Whitcomb presented the concept plan with the assistance of the Canandaigua Canine Campus (Nancy McCarthy). Discussed 97 Buffalo St. as a possible location, issue with environmental contamination but feels comfortable after conversations with the DEC that any contaminate has been contained and no further action is needed unless deep digging occurs. City Manager supports City acquiring the land but suggests that the Canine Campus initiate fundraising and, as funds are raised, amenities could be added to the park. Property currently owned by corporation that is in litigation with the DEC so can't give the property away but can sell for a nominal fee. Possible \$15000 - \$5000.

Question for tonight is what is the interest of the committee in proceeding with a dog park at this site?

No formal action – show of hands of council members present, all in favor.

APPENDIX A (Continued)
ENVIRONMENTAL/PARKS COMMITTEE
Tuesday, May 10, 2016
7:00 p.m.
Hurley Building Conference Room

4. Pesticide Moratorium

At the April 12, 2016 Environmental/Parks Committee meeting, the Committee voted to approve a moratorium on the use of pesticides in City parks. An item was placed on the May 5, 2016 City Council agenda for approval by the full Council which was withdrawn to provide the Committee the opportunity to review the draft changes made to the City's Turf and Landscape Management Policy.

For discussion because initial draft had some discrepancies with previous determination of committee. Such as: problem with initial wording included prohibition on all "city property" instead of "city parks"; is a waiver needed for emergency situations?; require reporting analysis as part of the moratorium. Procedural steps needed in moratorium to require on-going analysis and review by Council. What happens at termination of moratorium? Jim Sprague explained why his dedicated parks staff are not in favor of this moratorium including; Current definition would impact rodent infestations; already doing significant alternative methods for strong turfs; application was recently applied this past year so won't be ready for another application until moratorium at end so no true analysis; heavy usage at N. East Park, and Baker Park that if the fields deteriorate and soil becomes compacted then the fields will be unplayable for several years while new turf is developed; Feels Council would be removing a necessary tool in their tool belt for ensuring healthy fields. Believes we have a good ITM plan that should be continued.

Anita Twitchell made motion to support moratorium with amendment to change to cover "City parks" with waiver for emergencies. No second received. Anita had asked that it be sent to City Council for determination and will work with City staff to develop written language.

5. City Dock Policy - TABLE

At the February 9, 2016 Environmental/Parks Committee meeting, the Committee requested that a policy for the dock located off Lakefront Park be drafted as a result of the special event request from Marine Blue Inc. that involved the reservation of slips. A draft dock policy was developed to formalize existing practice and policy. The Committee reviewed the policy at its March 8, 2016 and requested that staff contact other municipalities specifically mentioning Geneva, Hammondsport, Skaneateles and Penn Yan in regard to their public dock policies with special regard to fees and the reservation of slips. In addition to the municipalities listed staff spoke with the Urbana, New Rochelle, Mamaroneck, and Tonawanda. For those municipalities that had special events that involved their dock, no fee was charged as the event was municipally sponsored. None of the municipalities had fees that exceeded the fee approved by City Council of \$10.61 per day per slip.

Meeting Adjourned at 9:25

APPENDIX B
ORDINANCE/CHARTER COMMITTEE
Thursday, May 17, 2016
7:00 p.m.
Hurley Building Conference Room

Committee: David Whitcomb, Chair; Nick Cutri; Karen White; Matt Martin;

Other Council members: Ellen Polimeni; Jim Terwilliger; Robert O'Brien; Anita Twitchell

Staff: Ted Andrzejewski; John Goodwin; Michele Smith; Jim Sprague; Rick Brown

Meeting called to order at 6:00 PM

CHARTER REVIEW (6:00 PM)

1. Overview of Charter Review Process

Corporation Counsel Michele Smith will present an overview of the process, timeline and regulations involved with the Charter Review Process for the residents that expressed an interest in being appointed to a Charter Review Commission and the Committee.

ORDINANCE (7:00 PM)

1. West Avenue Staging Lot

A group of residents on Park Avenue, represented by Jim Ochterski, raised concerns about the City's use of 130 West Avenue. The City has utilized the lot for various municipal purposes since 1905, including using the lot as a staging area for infrastructure projects (street reconstruction projects, Main Street Streetscape, etc). The residents of Park Avenue have requested that the City discontinue its use of the lot as a construction staging area. The residents have concerns regarding the appropriateness of the lots use in a residential area due to the associated noise and dust as well as privacy concerns. Staff and several City Councilmembers met with the group on April 13th and committed to review the matter further and present the group with potential solutions. **Ted Andrzejewski reported to the Committee and the residents that the City will no longer use the West Ave lot for construction staging after the completion of the current road reconstruction project. New staging area may be out at the old transfer facility or may need to purchase additional land. The use of the West Ave lot is still to be determined. Possible consideration of storage lot or dog park. Residents would like City to consider current zoning uses before making determination.**

No action

2. Fireworks Zoning Code Amendment

Roger Irons of Keystone Novelties, LLC recently contacted the City to obtain proper permits to operate a tent sale of legal sparking devices. Mr. Irons was informed that the City's Zoning Code does not specifically list "fireworks" as a permitted use in any zone district. By way of background, if a use is not specifically listed in the zoning code, the use by default is not permitted. With that said, the sale of fireworks as an incidental and accessory use is permitted (for example a grocery store or pharmacy can sell fireworks within the City). Keystone Novelties has requested that the City Council change the zoning to permit the sale of fireworks. Rick Brown, Director of Planning and Development, will be at the meeting to discuss the issue and answer any questions.

APPENDIX B (CONTINUED)
ORDINANCE/CHARTER COMMITTEE
Thursday, May 17, 2016
7:00 p.m.
Hurley Building Conference Room

Is there support for zoning change to allow this – recommendation is the C-3 zone?

Motion made by Nick Cutri to amend C-3 zone to permit sale of fireworks (defined by State) as primary permitted use, 2nd by Matt Martin. David Whitcomb would like to see special use permit for all other commercial zones. Nick accepted amendment and Matt 2nded. Discussion by other council members of allowing to expanding use to wide. Amended motion withdrawn by Nick and 2nd by Matt to revert to original motion. On original motion vote 4-0. Then Nick made separate motion for amendment for special use permit for all other commercial zones, 2nd by Matt. Vote 4-0. Staff will bring language back to next Ordinance Committee meeting for review.

ORDINANCE proposal for next meeting.

3. Tobacco Use in City Parks

Councilmember Karen White requested that the Committee discuss tobacco use in City parks. Parks are established to provide recreation and access to nature or green spaces and secondhand smoke and cigarette litter is harmful and directly conflict with the mission of the parks.

Motion made by Karen White to prohibit tobacco in City Parks, 2nd by Nick Cutri. Vote 3-1

ORDINANCE proposal for Council meeting.

Litter Law and Enforcement

Councilmember Karen White requested that the Committee discuss litter laws and enforcement within the City. Littering is prohibited by §600-19 “Littering” of City Code (attached). In order for a Police Officer to enforce this law (i.e. issue a violation), he/she must witness the act or receive a sworn statement testifying to the fact that an individual was witnessed littering.

No action.

Meeting Adjourned at 8:16

APPENDIX C
FINANCE/BUDGET COMMITTEE
Thursday, May 24, 2016
7:00 p.m.
Hurley Building Conference Room

Committee: James Terwilliger, Chair; Robert O'Brien; Karen White, Cindy Wade

Other Council members: Ellen Polimeni; Anita Twitchell; Matt Martin

Staff: Ted Andrzejewski; John Goodwin; Nancy Abdallah; Jim Sprague; Michele Smith

Meeting called to order at 7:00 PM

1. 1st Quarter Financials

Clerk/Treasurer Nancy Abdallah distributed a summary of the 2016 1st quarter financials to the Committee.

2. Budget Amendment – Parks Capital Projects

The 2016 Adopted Capital Budget included \$5,000 to have a professional graffiti artist paint the Jefferson Park Skate Park in an effort to prevent the unauthorized graffiti that is taking place. Initial research has found that skate parks with professional graffiti work are left alone; however, further research has found that this is not as reliable. Further, the lowest quote received for the painting work was over \$10,000. Coupled with the pending effort to expand the skate park, staff is recommending repurposing the \$5,000 to replace the fire alarm system at the Kershaw Bath House. Last year the fire alarm system continually sent false alarms. Staff has worked with a fire alarm vendor to make multiple adjustments and repairs to the system to resolve the issue to no avail. As a result, staff recommends that the system be replaced utilizing the funds originally appropriated for the painting of the skate park.

Motion to approve as recommended made by Cindy Wade, 2nd by Robert O'Brien. Vote 4-0

RESOLUTION

3. Budget Amendment – Fire Department Vehicle Repairs

The 2016 Adopted Fire Department Budget included \$35,000 for vehicle repairs that were identified by Central Garage staff and preventative maintenance vendors during inspections and maintenance activities that took place in 2015. During preventative maintenance services and inspections this spring, additional repairs were identified in addition to several other unanticipated repairs. Several of the repairs were able to be completed by Central Garage staff; however some repairs due to the complex nature of fire vehicles require a specialized vendor. Staff is requesting that \$20,000 from contingency be appropriated so the necessary repairs can be completed. For Engine 211 – main response truck.

Motion to approve as recommended made by Cindy Wade, 2nd by Robert O'Brien. Vote 4-0

RESOLUTION

4. Bid Award – Alternative Chlorination System Engineering Services

The Water Treatment Plant currently operates with a gas chlorination system. A leak in such a system could be deadly for water treatment plant operators and neighboring properties. Further a leak could be hazardous up-wind of the plant. Although the current system is in good condition, staff recommended replacing the system with a safer option. The Adopted 2016 Water Fund Capital Budget included funding for engineering services to explore and design an alternative chlorination system. The City

recently received five (5) bids for said service with the lowest bid received from LaBella Associates at a total cost of \$30,700. Staff recommends that the Committee authorize the City Manager to enter into a professional services contract with LaBella Associates.

Motion to approve as recommended made by Cindy Wade, 2nd by Robert O'Brien. Vote 4-0
RESOLUTION

5. Priority Services Agreement – Ontario County

For several years Ontario County has contracted with the City to provide priority services to County facilities located within the City. The agreement has expired and requires renewal. The County has proffered a successor agreement (attached). All of the terms and conditions of the agreement are the same as the previous agreements. After reviewing the agreement and meeting with the County Administrator staff recommends that the Committee approve the agreement.

Motion to approve as recommended made by Cindy Wade, 2nd by Robert O'Brien. Vote 4-0
RESOLUTION

6. Sales Tax Agreement – Ontario County

Last year the City and Ontario County renewed the sale tax agreement for one year in order to facilitate a review of the sales tax distribution and methodology. The County has proffered a successor agreement. A staff recommendation will be presented at the Committee meeting.

City Manager recommended approval.

Michele Smith requested executive session for attorney-client communication.

Council members need additional time to analyze proposal and they need to be able to look at hard data. Would like staff to create comparison of current formula and proposed changes – financial impact?; changes in set-aside; impact of census change?; City percent in comparison to the rest of the County?

NO ACTION TAKEN

7. Civil Service – Establishing Positions

a. Seasonal Parks Maintenance Assistant

The City has been informed by County Civil Service that one of the season positions in our Parks Department is misclassified. In order to correct this, City Council must “create” a new position of Seasonal Parks Maintenance Assistant.

b. Part-Time Firefighters

The Fire Chief has reported that the availability of our existing pool of Part-Time Firefighters is becoming increasingly limited. Staff is recommending the creation of three (3) additional Part-Time Firefighter positions.

Motion to approve as recommended made by Cindy Wade, 2nd by Robert O'Brien. Vote 4-0
RESOLUTION

8. Budget Items

During the March 22nd Finance/Budget Committee meeting, Council members present discussed a list of budget items submitted by Councilmembers to determine which items should be removed from the list or discussed further. None of the six items listed were removed from the list. Over the next several Committee meetings one or two items will be listed on the agenda for further discussion and deliberation.

- **Special Event Policy**

The Committee began its discussion on the City's Special Event Policy at the last Finance/Budget Committee meeting. The Committee requested a copy of the policies from other municipalities specifically Batavia and Geneva. Attached to the agenda (via email) is a copy for the aforementioned communities along with the City of Rochester.

General Discussion regarding different policies and different options to consider.

Karen White made a motion to modify policy/application to require 2 established routes for marathons and highlight additional costs (Including administration) for any other route; 2nd by Robert O'Brien.

Vote 3-1

RESOLUTION

Executive Session for attorney-client communication and real estate at 9:06

Adjourn @ 9:30