

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

City Council 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
 Renée Sutton, Councilmember-at-Large
 Steve Uebbing, Councilmember-at-Large

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

After the pledge, the Mayor called for a moment of silence to recognize former firefighter, Henry S. Gormont, who passed away recently. Henry was a career firefighter with the Department for 38 years retired in 1996.

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

December 8, 2022 Council Meeting
Moved: Councilmember Ward 3 White
Seconded: Councilmember-at-Large Sutton
Vote Result: Carried unanimously by voice vote (9-0)

Recognition of Guests: Matt Horn, CLDC reviewed the upcoming Winter In Canandaigua festival scheduled for January 20 – 21st with events at Bristol Mountain, The Lake House and Downtown Canandaigua.

Denise Chaaple spoke from the BID office and reviewed the upcoming Winter In Canandaigua festival as well and reviewed upcoming events for the BID office.

Committee Reports:

Appendix A, Planning and Finance Committee Meeting, January 3, 2023
Appendix B, Environmental and Ordinance Committee Meeting, January 17, 2023

Resolutions:

Resolution #2023-001:

Moved: Councilmember-at-Large Uebbing
Seconded: Councilmember-at-Large Covington

A Resolution Establishing Videoconferencing Procedures for Public Meetings

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

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

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

Vote Result: Carried unanimously by voice vote (9-0)

Resolution #2023-002:

Moved: Councilmember Ward 1 Polimeni

Seconded: Councilmember Ward 3 White

A Resolution Setting the Time and Place of a Public Hearing on a
Restore NY Round 7 Grant Application

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

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

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

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

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

Vote Result: Carried unanimously by voice vote (9-0)

Resolution #2023-003:

Moved: Councilmember Ward 2 Unrath

Seconded: Councilmember-at-Large Covington

A Resolution Awarding Bids for Water Treatment Chemicals

WHEREAS, the Water Treatment Process involves the use of several different chemicals to ensure safe potable water such as Sodium Hypochlorite (chlorine) used to disinfect the water, Sodium Hydroxide (caustic soda) used to raise the pH of the water to minimize lead corrosion, Hydrofluosilicic Acid (fluoride) used to provide the public health benefit of reducing cavities and preventing tooth decay, and Polyaluminum Chloride SternPac50 and Polyaluminum Chloride PC2380/PCH180 used as a coagulant to remove particulates;

WHEREAS, bids to supply the aforementioned chemicals to the Water Treatment Plant were opened on Wednesday, December 21, 2022; and

WHEREAS, the lowest responsible bid out of two responding bids for Sodium Hypochlorite was from JCI, 100 Sunny Sol Blvd, Caledonia, NY 14423 in the amount of \$2.1319 per gallon; and

WHEREAS, the lowest responsible bid out of two responding bids for Sodium Hydroxide (NAOH) 25% was from JCI Jones Chemicals, Inc, 100 Sunny Sol Blvd, Caledonia, NY 14423 in the amount of \$2.25 per gallon; and

WHEREAS, the lowest responsible bid for Hydrofluosilicic Acid (fluoride) was from Slack Chemical, PO BOX 30, 465 South Clinton St., Carthage, NY 13619 in the amount of \$5.197 per gallon; and

WHEREAS, the lowest responsible bid for Polyaluminum Chloride SternPac50 was from Slack Chemical, PO BOX 30, 465 South Clinton St., Carthage, NY 13619 in the amount of \$4.28 per gallon at 2500 gallons and \$3.65 per gallon at 4,500 gallons; and

WHEREAS, the lowest responsible bid for Polyaluminum Chloride PC2380/PCH180 was from Holland Company, 153 Howland Ave, Adams, MA 01220 in the amount of \$5.37 per gallon at 2500 gallons and \$4.98 per gallon at 4,500 gallons; and

WHEREAS, Staff recommends awarding contracts for these chemicals so that the facility can continue to operate without disrupting service to the community;

NOW, THEREFORE, BE IT RESOLVED, City Council hereby awards contracts for Sodium Hypochlorite 12.5% and Sodium Hydroxide (NAOH) 25% at the Water Treatment Plant to JCI Jones Chemicals, Inc, 100 Sunny Sol Blvd, Caledonia, NY 14423 for \$2.1319 per gallon and \$2.25 per gallon respectively; and

BE IT FURTHER RESOLVED, City Council hereby awards contracts for Hydrofluosilicic Acid (fluoride) in the amount of \$5.197 per gallon and Polyaluminum Chloride SternPac50 in the amounts of \$4.28 per gallon at 2500 gallons and \$3.65 per gallon at 4,500 gallons to Slack Chemical, PO BOX 30, 465 South Clinton St., Carthage, NY 13619; and

BE IT FURTHER RESOLVED, City Council hereby awards a contract for Polyaluminum Chloride PC2380/PCH180 to Holland Company, 153 Howland Ave, Adams, MA 01220 in the amount of \$5.37 per gallon at 2500 gallons and \$4.98 per gallon at 4,500 gallons.

Prior to the vote, Councilmember Uebbing said he is opposed to municipalities putting fluoride in the water but will be voting to pass the resolution.

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 Sutton, Councilmember-at-Large Uebbing and Mayor Palumbo. (9-0)

NOES: None

Resolution #2023-004:

Moved: Councilmember Ward 2 Unrath

Seconded: Councilmember-at-Large Covington

A RESOLUTION AWARDING A FERROUS CHLORIDE SUPPLY CONTRACT

WHEREAS, the Water Resource Recovery Facility (aka Wastewater Treatment Plant) uses ferrous chloride to assist in the treatment of sewage for the removal of phosphorus; and

WHEREAS, a bid opening occurred on December 21, 2022, to supply ferrous chloride; and

WHEREAS, five bidders were contacted, but only one bid was received from Slack Chemical Company at a bid price of \$1.88 per gallon; and

WHEREAS, funding for this chemical usage is included in the 2023 Budget; and

WHEREAS, the Director of Public Works and the City Manager recommend the contract be awarded to Slack Chemical Company, Inc., PO Box 30, 465 S. Clinton Street, Carthage, NY 13619, to supply ferrous chlorine;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the City Manager to execute a contract with Slack Chemical Company, Inc., PO Box 30, 465 S. Clinton Street, Carthage, NY 13619 for the purchase of ferrous chlorine at a unit price of \$1.88 per gallon.

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 Sutton, Councilmember-at-Large Uebbing and Mayor Palumbo. (9-0)

NOES: None

Resolution #2023-005:

Moved: Councilmember-at-Large Covington

Seconded: Councilmember-at-Large Lyon

A RESOLUTION AWARDING A CONTRACT FOR OVERHEAD DOOR MAINTENANCE

WHEREAS, the City's contract for maintenance on overhead doors at all its facilities was expiring and bids were opened on December 20, 2022 for this service; and

WHEREAS, of the three (3) vendors solicited, two (2) did not submit bids; and

WHEREAS, the only response came from DBA Tri-County Overhead Door (now Alliance Door and Hardware, Inc), located at 55 Alliance Drive in Rochester, NY with a bid of \$6,173.94 for all locations; and

WHEREAS, Staff recommends awarding the contract to Alliance Door and Hardware Inc.;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby awards a maintenance contract for the overhead doors to Alliance Door and Hardware, Inc., located at 55 Alliance Drive in Rochester, NY with a bid of \$6,173.94;

Prior to the vote, Councilmember Sutton asked on the length of the contract and City Manager Goodwin noted that this contract is for one year and has the option to renew, and with Alliance this new contract is less than the previous one awarded.

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 Sutton, Councilmember-at-Large Uebbing and Mayor Palumbo. (9-0)

NOES: None

Resolution #2023-006:

Moved: Councilmember-at-Large Lyon

Seconded: Councilmember Ward 2 Unrath

**A RESOLUTION REDUCING ALLOCATION TO THE
SMALL BUSINESS DEVELOPMENT LOAN PROGRAM**

WHEREAS, at its September 7, 2017 meeting, City Council adopted Resolution #2017-094 establishing the City's Small Business Development Loan Program and allocated \$250,000 to fund the revolving loan program from the City's CDBG fund; and

WHEREAS, the City also utilizes the CDBG fund for the Canandaigua Home Energy Improvement Program (CHEIP) in partnership with Pathstone and the Home Preservation Program in partnership with Habitat for Humanity to provide assistance to low to moderate income property owners and renters make repairs to their homes, energy efficiency improvements to improve the safety and physical appearance of homes and neighborhoods; and

WHEREAS, City Staff recommended the reduction of the allocation to the Small Business Development Loan Program by \$50,000 in order to continue to fund the CHEIP and Home Preservation Program to levels approved in the 2023 Budget; and

WHEREAS, said recommendation was reviewed and approved by the Finance Committee at its January 3, 2023 meeting; and

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby reduces the allocation to the Small Business Development Loan Program by \$50,000 in order to fund Canandaigua Home Energy Improvement Program (CHEIP) in partnership with Pathstone and the Home Preservation Program in partnership with Habitat for Humanity.

Prior to the vote, Councilmember Lyon said that both of these programs provide an asset to the community and even with the reduction of funds, there are funds available with the City's small business development load program to help assist those looking for help with existing and new businesses.

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 Sutton, Councilmember-at-Large Uebbing and Mayor Palumbo. (9-0)

NOES: None

Resolution #2023-007:

Moved: Councilmember-at-Large Sutton

Seconded: Councilmember-at-Large Uebbing

**A RESOLUTION UPDATING THE CITY OF CANANDAIGUA
BUDGET AMENDMENT POLICY**

WHEREAS, the annual budget adopted by the City of Canandaigua City Council shall be considered a controlled spending plan for the ensuing year which authorizes the City Manager to make expenditure commitments in accordance with the policies of the City Council, Charter and State Law; and

WHEREAS, the City of Canandaigua's Budget Amendment Policy was developed to ensure that, if changes occur in the spending plan of the City, an amendment to the budget is required prior to commitment of the expenditure to ensure that an adequate appropriation has been provided; and

WHEREAS, after reviewing the City's current Budget Amendment Policy, the Treasurer and City Manager recommended updating the policy in respect to multi-year capital projects in process; and

WHEREAS, the recommendation of the proposed updates the Budget Amendment Policy were reviewed and approved at the January 3, 2023 Finance Committee meeting;

NOW, THEREFORE, BE IT RESOLVED by City Council that the attached updated Budget Amendment Policy is hereby adopted.

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 Sutton, Councilmember-at-Large Uebbing and Mayor Palumbo. (9-0)

NOES: None

Manager's Report: City Manager Goodwin reviewed the solid waste collection program, reviewed the replacement toter questions and reviewed with residents where to find additional information on the City's website. Reminded residents that there will be no bill for residents until the 2nd quarter. Councilmember Lyon reviewed issue a resident had with calling the company to order their toter selection. Councilmember Uebbing suggested that maybe one garbage toter will not be enough for residents after observing the amount of trash left out for collection during the holiday as something to review down the road.

Miscellaneous: Mayor Palumbo said he had received calls as well on the toter selection issue from residents. He knows the City is working with the company to ensure data collection. The Mayor and City Council congratulated Councilmember Ward 4 Dittmar, on the birth of his daughter earlier in the month.

The Mayor motioned the appointments of City Councilmember Ward 1 Ellen Polimeni, from the City Manager office, Rick Brown, Director of Planning and Development and from the Mayor's office, Stephen Cole nominated to the Board of the Canandaigua BID office. Seconded by Councilmember Ward 3 White, unanimously passed by voice vote (8-0), Councilmember Ward 1 Polimeni abstained.

Councilmember Ward 3 White reminded residents to check the crossway when pedestrians are trying to cross. She has seen too often on Main Street, drivers in the second lane in either direction, not stopping when the lights are flashing. City Manager Goodwin said it is illegal to continue and not stop. Mayor Palumbo noted seeing a driver go around a stopped school bus with their lights flashing on Buffalo Street, and the student was stopped by the driver prior to crossing. City Manager said that the CPD would review if possible.

Adjournment:

Councilmember Ward 3 White motioned to adjourn the regular meeting at 7:48 pm into executive session to discuss issues regarding proposed, pending or current litigation and negotiator of commodities, seconded by Councilmember Ward 1 Polimeni. The motion carried by voice vote, (9-0). Before the move into Executive Session, Councilmembers congratulated Councilmember Dittmar and his wife on the birth of their daughter earlier in the month.

Councilmember-at-Large Lyon motioned to move the meeting back into regular session at 8:35 pm, seconded by Councilmember Ward 1 Polimeni. The motion carried by voice vote, (9-0).

Councilmember-at-Large Uebbing motioned to close the regular session at 8:36 pm, seconded by Councilmember-at-Large Sutton. The motion carried by voice vote, (9-0)

**APPENDIX A
MINUTES
PLANNING COMMITTEE & FINANCE COMMITTEE
TUESDAY, JANUARY 3, 2023, 7:00 PM
COUNCIL CHAMBERS
HURLEY BUILDING, 205 SALTONSTALL STREET
VIRTUAL: <https://us06web.zoom.us/j/84662898580>**

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

Other Councilmembers Present: Karen White
Renee Sutton
Sim Covington, Jr.
Mayor Palumbo

Absent: Erich Dittmar

City Staff: John Goodwin
David Hou, Corporation Council

Chair Lyon opened the meeting, welcomed members present and reviewed the agenda items. He reviewed the first agenda item, Restore NY Grant Application. Don Lasher, Capstone Development, presented Phase 2 of the 243 Gorham Street Project and requested that the City apply for Restore NY funding. He reviewed Phase 1 of the project and walked the committee through the details of the project to date. Phase 2 is a mirror image project of Phase 1. Phase 2 of the 243 Gorham Street Project (a.k.a. Factory 243) consists of the selective demolition and abatement of four existing structures within the complex to create five residential apartment buildings with 51 units and two commercial spaces. City Manager Goodwin noted that the Restore NY grant application must be submitted by a municipality. The committee reviewed the overall plans as the architecture plans are not yet finalized. Councilmember Polimeni asked if the Planning Commission has reviewed the plans and they have not yet to appear but will go through that review, but the deadline for the grant is approaching faster, noted Goodwin. Councilmember Polimeni asked if the mixed-use space is still under consideration for people to rent who may be quilters or radio repairs, something of a hobby in nature. Mr. Lasher said yes, that is still part of the plan. Councilmember Uebbing asked what the occupancy rate is and Mr. Lasher explained that while it was slow to lease up, partly due to Covid and some other outside issues, we are generally at 98% occupied with a waiting list. Councilmember Uebbing also asked any continuing environmental concerns, until Phase 2 is completed, Mr. Lasher noted, it is hard to be sure as there may be. Councilmember Lyon noted that the grant is for demolition and abatement is that the whole purpose or is reconstruction part of this? Mr. Lasher noted that they do know the details of the building of what needs to happen, but may discover items underground. Rhonda Destino from the MRB Group, who is assisting with the Restore NY Grant, spoke and noted, with the grant, abatement and cleaning of asbestos, reconstruction is an eligible expense. Due to the additional unknowns that can happen, they wanted to cover the funding with the ask. Councilmember Sutton asked on the total amount of the grant, 2 million is the total request, according to Mr. Lasher. City Manager Goodwin noted that the Restore NY Grant was not funded to help with Phase One and has been funded and defunded a few times, but has been funded for the last two years. If they grant is not secured, they are working on construction cost figures. Mayor Palumbo issues with sewers, has that been corrected and Mr. Lasher said that they are working with the City to correct, sharing services to work together. Jim Sprague, DPW said they are looking at several options on the sewer flooding. City Manager noted that there is still a matter of ongoing litigation over this issue. Councilmember White asked if another PILOT would be requested or if this project was an extension of the current PILOT through the IDA. Mr. Lasher said he believes it is an extension but has not met with the IDA yet. He may be requesting another PILOT. Councilmember Sutton asked about the scoring criteria for the grant. Ms. Destino reviewed the background and the overall recommendations they are putting together with the application. Having Phase One completed successfully, having the area rented and commercially leased, will help the scoring in Round Two for Phase two. Councilmember Uebbing asked about downside, Mr. Goodwin noted that this is an area we want to see redeveloped and meets the criteria needed for the Grant application, the worst case is that the City gets denied. Councilmember Uebbing thinks the current development is great and is very hopeful that grant will work out for Phase 2. Chair Lyon reviewed the financial commitment and Councilmember Sutton asked about what the City would be responsible for. City Manager Goodwin noted that the funding would be from the developer, not the municipality. Ms. Destino said that Capstone and the City would be working in partnership, Mr. Lasher would be responsible for the cost including everything and the grant application fee. Should Planning Commission or IDA require changes, upon award, they fine tooth comb the project. Councilmember Uebbing motioned to

schedule the public hearing on the application and to approve the application for Council to review, Councilmember Polimeni seconded, unanimously passed and carried.

Chair Lyon moved into the second item, North Bloomfield Road Reconstruction. Chair Lyon introduced Hunt Engineering members that were present to discuss. Barry Dumbauld, P.E. (Project Manager) and Jake Burnsell from Hunt Engineering reviewed the plans that were presented to Councilmembers present at the meeting. The City commissioned Hunt Engineering in 2022 to review the reconstruction project for North Bloomfield Road and make recommendations. The project has been completed in coordination with DPW. The 2023 Budget includes \$4 million in financed funding across the General, Water and Sewer Funds to complete this project. Nevertheless, given the market pressures and other municipal project bids, such funding may not be sufficient to complete the entire project. Before Mr. Dumbauld presented, Mr. Goodwin took the opportunity to introduce Jeff Padack, the new Deputy Director of Public Works who was hired in the late summer of 2022. Mr. Dumbauld reviewed the area and the recommendations to the committee. The project objectives include: complete street replacement, complete sanitary sewer replacement, water system adjustments to accommodate changes, complete storm sewer installation with storm laterals to each property, address safety issues, provide sidewalks on the north side of the road and to square up North Bloomfield/North Street intersection. Mr. Goodwin reviewed the preliminary cost estimate of the project to be 4.495 million, in the budget 2023 4 million has been budgeted, we are still a quarter of a million dollars over budget and other decisions may have to be made as the numbers are not aligned. Councilmember Uebbing asked on the bid for the project or would City Staff be responsible. Mr. Goodwin noted that the project would be bid out for all of it, as other similar projects have been done. Inflation and others concerns are embedded in the estimate, Mr. Dumbauld noted, the costs are a concern. Mr. Dumbauld noted reviewing a couple parts of the projects but costs are an issue. Councilmember Sutton asked about how residents would be affected, specifically residents of the Chosen Spot Apartments a known senior community. Mr. Goodwin noted that there will be moments of inconvenience but we do their best to work around and plate the road as needed. Mr. Dumbauld noted that there would be an inspector on sight to note needed changes for residents. Mr. Goodwin noted there will be an additional meeting for the residents to communicate the plans. Councilmember Uebbing asked on the long-term financing and if there was a way to invest the monies. Mr. Goodwin noted that they are continuing to review the financing, given the challenges of the market with inflation and cost of services increasing. Councilmember Polimeni shared concerns with residents being communicated too and shared concerns with the project costs. Mr. Goodwin noted that choices are not easy and either cuts happen now or add more funding. The Mayor asked about easements, the grading and the area and because of the changes in profile may affect some of the driveways. The project is within the right away, according to Mr. Goodwin. The Mayor advocated for having a public meeting ahead of starting the project. Mr. Goodwin said that letters and tree notices will be given out and noted concerns that very little residents attended. Visual marketing will be displayed to give residents an alert to the project. Councilmember White asked about the intersection of Buffalo Street with North Bloomfield Rd. Mr. Dumbauld noted that residents near the corner were not thrilled with the idea of making any changes. Jeff Padack noted that they discussed the project with residents and there were not interested in making any changes. Private homeowners near the main entrance to Baker Park were not interested in changing the intersection. Councilmember Unrath asked about burying the lines for RGE and Spectrum. The City cannot do work outside of the right away and residents would have to be responsible for those lines, noted Mr. Dumbauld. Mr. Goodwin noted it is a million dollars a line to bury the lines and Mr. Dumbauld concurred, but can get an updated estimate if needed. Councilmember Sutton asked about the timelines. Mr. Goodwin noted that the timeline would start at the end of January for communication to start and hold a meeting sometime in February, plus bonding for the project will need to start. Councilmember Uebbing asked if the City has the ability to require the utility companies to bury the lines for the project. Corporation Council, David Hou said he would have to review. Councilmember Uebbing also requested to understand the costs involved, if the City had the ability to require this. Chair Lyon noted that there will be more discussion on this in future meetings.

Chair Lyon moved on to Emergency Preparedness, due to the recent blizzard that significantly impacted Buffalo

and the surrounding area this item was added to the agenda to provide a public service announcement about emergency preparedness. Mr. Goodwin noted that residents needed to have their own plan for storms. He reviewed the FEMA recommendations and added that information is available on the Ontario County website. Ontario County added warming stations during the last large power outage. Information is available online for residents to review on their website. FEMA.gov is the other site.

Chair Lyon closed the meeting.

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

Other Councilmembers Present: Karen White
Renee Sutton
Sim Covington, Jr.
Mayor Palumbo

Absent: Erich Dittmar

City Staff: John Goodwin
David Hou, Corporation Council

Chair Uebbing opened the meeting and reviewed the agenda and members present.

Chair Uebbing reviewed the first agenda item, Water Plant Expansion and Rate Study Last year, the City retained Raftelis to evaluate the need to increase the capacity of the City's water plant over the next 10 years, assist the City with developing a more robust capital plan, proposed a modified cost allocation approach to recover water system costs from the Towns, forecast future Town water rates and evaluate impact on City water rates. A representative (Philip Sapone) from Raftelis has been invited to present its findings. Chair Uebbing introduced Phillip Sapone from Raftelis to present to members present. He reviewed the power point presentation. Among the recommendations are: Continue to serve the Towns under the existing Water Sales Agreement, as the terms are favorable to the City. Separately, require that Towns pay the full cost of WTP upgrade projects with payment made in full prior to each project phase. Assess the Towns the cost of capacity upgrades based on their reserve capacity shares. Consider using debt to finance a portion of capital projects, adding to review Section I. of WSA on managing funds in the reserve and the use of debt. Councilmember White said that she appreciated the presentation. Councilmember Polimeni asked about the contract terms. Mr. Sapone said the recommendation would be to extend as long as can be and currently 25 years is the current term, noted Mr. Goodwin. Currently it has expired, allowing the City to complete the review and discuss the recommendations made by Raftelis. Councilmember Polimeni noted it took two years to negotiate the last Water Sales Agreement and hoping that this next round does not take as long. Mr. Goodwin by getting up to producing 9 million gallons a day, without spending \$13. Million, it seems to be more a prudent approach. Councilmembers discussed the various options for full capacity extraction for the Water Treatment Plant and Chief Operation, Peter Virkler noted that the faster water runs through the plan, quality of water can be an issue. Currently about 4 million gallons are extracted and the permissible amount is 6 million a day from the DEC. Mr. Goodwin noted the purpose of the plan was to have a full understanding for the plant capabilities for potential expansion and rate potential with the municipalities that currently purchase water. Councilmember Uebbing noted that they can fully discuss in Executive Session due to the negotiations and thanked Mr. Sapone for his presentation.

Chair Uebbing reviewed the next agenda item, Small Business Development Loan Program Reserve Reduction. The City has a special fund utilized to assist low- and moderate-income property owners (or renters) complete exterior repairs (via partnership with Habitat) and energy efficiency and minor interior projects (via partnership with Pathstone). Funding has also been utilized to assist in the development of small businesses. In order to fund the housing programs to the extent of previous years and as planned for in the 2023 Budget, the reserve for the Small Business Development Loan Program needs to be reduced. Mr. Goodwin said that when the small business loan development program began, \$250K was set aside through special CBDG account, and while continuing to use the other funds through our housing program, understanding that we are running out of money from the funds being used. We have funded more than 12 properties in 2022, but the funds need to be reallocated for 2023 and we have the funding. Currently, there is about \$170,000 of reserve funding that is not loaned out, we need to take out \$50K of the loan program to move it to fund the housing. This would only fund 2023. Councilmember Lyon said that he appreciates the efforts that Habitat and Pathstone have done and the purpose of the funds are to help persevere the community. It is a very valid and needed program and is in full support. Councilmember Lyon motioned to move the fund reduction to the full council, seconded by Councilmember Polimeni, unanimously passed and carried.

Chair Uebbing reviewed the Budget Amendment Policy. He noted, the Budget Amendment Policy requires that it be reviewed at least once every two years. The committee reviewed the Budget Amendment Policy with a proposed recommendation for the Capital Budget to allow for it to be amended in such incidences where a project that was accounted for but not completed in the prior year. Mr. Goodwin noted that this is for projects that do not get completed within the committed timeframe. These projects are all approved by City Council and are accounted for to be moved with a budget amendment. Essentially, what is proposed is any remaining unincumbered budget, a multi-year capital project, in process may be carried over to the next budget with the approval of the City Manager, said Mr. Goodwin. Councilmember Sutton asked what start of this and Goodwin noted the plans for the Central on Main and she asked that Council be noted when this happens. Councilmember Polimeni motioned to move the budget amendment to the full council for approval, seconded by Councilmember Lyon, unanimously passed and carried.

Chair Uebbing closed the meeting.

APPENDIX B
MINUTES
ENVIRONMENTAL COMMITTEE & ORDINANCE COMMITTEE
TUESDAY, JANUARY 17, 2023, 7:00 PM
Hurley Building, 205 Saltonstall Street
Virtually: <https://us06web.zoom.us/j/84936309067>

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

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

Absent: Karen White

City Staff:

John Goodwin
David Hou, Corporation Council

Chair Karen White is absent, Councilmember Renee Sutton will be chairing the meeting. She moved the Kershaw Park discussion to the top of the agenda. She reviewed the details, that the lease for the concession at the Kershaw Park Bath House has expired and prior to releasing a bid for a successor lease agreement, the City Manager Goodwin would like to review some recommendations for change. Mr. Goodwin said the first recommended change would be not of leasing a portion of the building for concessions, but adding a vendor location similar to those Downtown and the City Pier locations. He is proposing creating a new vendor spot in Lakefront Park (same location that L.L. Bean had used in years past) for a small craft (SUP and kayaks) rental. Mr. Goodwin explained the area would also have four parking spots. The city would be able to use the concession space for a weekend police substation and possibility look to create year-round bathrooms. Councilmember Sutton asked what is needed by Council to do this and Mr. Goodwin said we would create a new resolution changing the vendor ordinance to do this to add the new location. Councilmember Sutton asked guest Kailey Woodard if she wanted to speak. Ms. Woodard has been the lease holder for the concessions and a kayak rental since 2020. Ms. Woodard of 447 Castle Rd Geneva, said she was surprised to learn of this plan and had emailed Councilmembers privately earlier in the day with her thoughts. She reviewed her business model with Council. She reviewed the grease trap issue that started in 2020 and resolved in 2022, as she was concerned that perhaps, this is the reason for the potential change for the site. She also owns Woodard Rentals for kayaks and disagrees with the potential kayak launch area suggested in Lakefront Park and feels it would be very difficult to run a business from that location. She feels the launching and exiting space considered isn't wide enough and would only support two kayaks at a time, as opposed to the area at Kershaw that is being used now. The Mayor asked her how her business has been since it open and Ms. Woodard said that she has a good start in 2020, had a slip dip in 2021, mostly weather related and had a great 2022. Her payroll for 2022 was more than \$48,000. Councilmember Unrath asked about the business during Covid. Ms. Woodard said that they did not have the same restrictions as an outdoor business, so the impact was different. They saw tourists from outside the area. The bigger issue, she experienced was the closing of the beach area earlier than Labor Day, due to the staffing shortages for the City, which she said she was not made aware of. Councilmember Uebbing asked about the plans for the area if it isn't rented. City Manager explained that making the space into a subspace for the police department would be very helpful to control issues down at the Lake and to then add a vendor space outside of it, similar to the other vendor permits on the Pier and Main Street. Councilmember Uebbing recommended creating a plan for 2024 and reviewing the situations during the season for 2023. Councilmembers discussed taking the area back out to bid opportunities for 2023. Mr. Goodwin recommended charging the same fee as other agreements, for the kayak launch. Councilmember Sutton thanked Ms. Woodard for speaking and seeing that no motion was made otherwise and RFP will go out for 2023.

Councilmember Sutton reviewed the next item. Approval for a Public Art Installation at Lakefront Park. Councilmember Sutton reviewed that Roseland Park which operated in the area of what is now Lakefront Park for 60 years until its closure in 1985, included a Sky Ride that went out over part of Canandaigua Lake. The Sky Ride had two stanchions in the Lake, one is part of the Canandaigua Lady dock with its ticket office placed on top. The other remains just off the shore line and acts as a blighting influence. For several years, the idea of a public art installation on the un-utilized stanchion has been discussed recently a local group has worked with an artist to develop a sculpture proposal that is designed to recognize Roseland Amusement Park. As the public art piece would be part of Lakefront Park, City Council approval of the sculpture is necessary. Benji Carr, Cohocton, New York spoke and is the artist of the proposed piece. He showed council the model he made of the proposed structure. Made of metal, the artwork will sport five attractions, all of which would move slowly at the same time, driven by hydraulics and an electric motor. A carousel, Ferris wheel, and other rides, atop a roughly 8-foot base, would be about 15 feet off the water. There will be a sealed box at the bottom with a gear box with a hydraulic pump that runs hydraulic fluid through stainless steel lines up to each feature and drives it. Each one of the units has a blow by valve that should the structure be forced to stop and fluid will blow by and into the reservoir. Electricity will be needed to operate; it can come from a lamp post nearby and on the post a box for a shut off on the post up high and has a timer inside and come on at 6 am and shut off at 10 pm. Can be lite from below. A speaker would also be below and play carnival noise, very low, but part of the overall design and not overwhelming at all. Funding? Councilmember Polimeni said it is something that is fundable as The Arts Council has been working on this for some time. They are looking for grant opportunities and community organizations that they make an appeal. Judy Cermak is also working on this and no public money will be involved. The City will have a role with in-kind service and overall approval. Councilmember Uebbing asked about Mr. Carr's experience. Mr. Carr said that yes, he has many machines

that he has made that are hydraulically operated with recycled materials. A welder and stainless and foundry work with metal castings and fabricated fixtures for many years. He has done work for Wegmans store change with more than 350 tables for their stores. 2019 he installed a project a Cobblestone Arts Group, it is an 18 ft tall sculpture and it a kinetic piece and can be operated from the building. This would be his first time working with a project over water. The project has an 8-month timeline. Councilmember Sutton asked about the environment impact of the structure. He doesn't believe it would be, but would have a cover for it should weather be impacted. Mr. Goodwin said that the only boat impacted would be a kayak as it is too shallow. Mr. Goodwin spoke with the Offices of General Services to review the project as they own the land under the Lake. They see this a given a standard permit for the project. Councilmember Dittmar asked about the electric and Mr. Goodwin said it would most like be the in-kind service provided. Mr. Carr suggested having a buoyed line around the piece to deter any public traffic from hurting the piece. Councilmember Dittmar motioned to approve the design and to push the project forward, seconded by Councilmember Covington. Before the vote, Judy Cermak of Gibson Street, spoke and said this will be an attraction to see once it is all finished. Unanimously passed and carried onto full Council.

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

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

Councilmember Sutton adjourned the Environmental meeting.

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

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

Absent: Karen White

City Staff: Rick Brown, Director of Planning
 John Goodwin, City Manager

David Hou, Corporation Council

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

Chair Sutton moved to reviewing the MU Zone District Schedules. Rick Brown spoke to the three mixed used districts. In 2021, the City Council amended the Zoning Map to consolidate the MU-1, MU-2 and MU-3 districts into a single zone district with the regulations applicable to the MU-2 zone district. During this amendment process, Schedule I of the Zoning Ordinance was not updated to eliminate the bulk and area standards of the MU-1 and MU-3 zone districts. Mr. Brown reviewed the ordinance clean up, no new text, just removing text. Councilmember Covington motioned to adopt the changes and move the ordinance to full Council seconded by Councilmember Dittmar, unanimously passed and carried.

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

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

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

Respectfully submitted,
Erin VanDamme
City Clerk

