

**MINUTES**  
**CITY COUNCIL AGENDA**  
**THURSDAY, MARCH 2, 2023, 7:00 P.M.**  
**CITY COUNCIL CHAMBERS- HURLEY BUILDING**  
**205 SALTONSTALL ST.**  
**VIRTUAL: <https://us06web.zoom.us/j/82103183289>**  
**LIVE STREAM: <https://fingerlakestv.org/live/>**

City Councilmembers Present:                    Bob Palumbo, Mayor  
   Ellen Polimeni, Councilmember Ward I  
   Dan Unrath, Councilmember Ward II  
   Karen White, Councilmember Ward III  
   Erich Dittmar, Councilmember Ward IV  
   Sim Covington, Councilmember-at-Large  
   Thomas Lyon, Councilmember-at-Large  
   Steve Uebbing, Councilmember-at-Large (via Zoom)

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

Absent:    Renée Sutton, Councilmember-at-Large

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

After the Pledge of Allegiance, the Mayor asked for a moment of silence for Ontario County Clerk, Matthew Hoose, who recently passed away.

**Review of Community Core Values:** Councilmember-at-Large Uebbing 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:**

**February 2, 2023**

Moved: Councilmember Ward 3 White

Seconded: Councilmember-at-Large Covington

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

**Recognition of Guests:** There were no guests.

**Committee Reports:** There were no committee reports.

**Resolutions:**

**Resolution #2023-015:**

Moved: Councilmember Ward 2 Unrath

Seconded: Councilmember Ward 1 Polimeni

## **A RESOLUTION AWARDING A CONTRACT FOR SODIUM HYPOCHLORITE**

**WHEREAS**, Sodium Hypochlorite is a critical component of the Water Treatment Process to disinfect the water; and

**WHEREAS**, bids to supply Sodium Hypochlorite to the Water Treatment Plant were opened on Friday, February 17, 2023; and

**WHEREAS**, the lowest responsible bid out of three responding bids for Sodium Hypochlorite was from Bison Labs, 100 Leslie Street, Buffalo, NY 14211, in the amount of \$3.094 per gallon; and

**WHEREAS**, Staff recommends awarding a contract for sodium hypochlorite so that the facility can continue to operate without disrupting service to the community;

**NOW, THEREFORE, BE IT RESOLVED**, City Council hereby awards a contract for Sodium Hypochlorite at the Water Treatment Plant to Bison Labs, for the amount of \$3.094 per.

*The motion CARRIED UNANIMOUSLY on the following vote:*

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

**NOES:** None

### **Resolution #2023-016:**

Moved: Councilmember Ward 4 Dittmar

Seconded: Councilmember-at-Large Covington

## **A RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE OF A FORKLIFT**

**WHEREAS**, the Department of Public Works central shop currently has a forklift that has reached the end of its useful lifespan and has become expensive to maintain; and

**WHEREAS**, a bid to provide a replacement forklift was opened on February 17, 2023 with ToyotaLift Northeast (formerly Swiftlift), 820 Phillips Road, Victor, NY 14564, submitting the low bid with a price of \$29,635.00; and

**WHEREAS**, the City Manager, Director of Public Works, and the Public Works Parts and Service Manager recommend awarding the bid to ToyotaLift Northeast;

**NOW, THEREFORE, BE IT RESOLVED**, City Council hereby awards a contract to ToyotaLift Northeast for the purchase of a new forklift in the amount of \$29,635.00.

Prior to the vote, Councilmember White asked if both used and new forklifts were considered as well as how long the current forklift has been in use. City Manager Goodwin said that the forklift has been in use since the 1980s and City Parts and Service Manager Steve Pfeiffer confirmed that both were considered.

*The motion CARRIED UNANIMOUSLY on the following vote:*

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

**NOES:** None

**Resolution #2023-017:**

Moved: Councilmember Ward 3 White

Seconded: Councilmember-at-Large Covington

**A RESOLUTION APPROVING A BUDGET AMENDMENT IN THE TECHNOLOGY FUND**

**WHEREAS**, the Downtown Camera system utilizes radios to communicate with the Police Department and 911 Center; and

**WHEREAS**, the Federal Communications Commission (FCC) created a Citizen Broadband Radio Service (CBRS) for shared commercial use of the 3550-3700 MHz band that created a three-tiered access and authorization framework to accommodate shared federal and non-federal use of the band; and

**WHEREAS**, in order to use the CBRS spectrum, a band must be requested and assigned from a Spectrum Allocation Server (SAS) which involves a license fee at a re-occurring monthly cost of \$125.50; and

**WHEREAS**, a new software and radio configuration is also necessary at a one-time cost of \$9,036; and

**WHEREAS**, funding for this work was not included in the Technology Fund budget and the City Manager recommended that \$10,542 be appropriated in the Technology Fund which was reviewed and approved by the Finance Committee at its February 7, 2023 meeting; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council appropriates \$10,542 from the Technology Fund, Fund Balance for the purpose of updating the City's camera radio system to ensure compliance with Federal rules and regulations.

Prior to the vote, the Mayor asked if this would be a recurring charge. City Manager Goodwin said that he hoped not, but this is at the discretion of the FCC.

*The motion CARRIED UNANIMOUSLY on the following vote:*

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

**NOES:** None

**Resolution #2023-018:**

Moved: Councilmember-at-Large Covington

Seconded: Councilmember-at-Large Lyon

**A RESOLUTION APPROVING A REDEVELOPMENT PLAN FOR SOUTH MAIN STREET**

**WHEREAS**, at its June 7, 2022 meeting, Planning Committee of City Council approved a preliminary plan for the redevelopment of South Main Street that included City owned property at 267 South Main Street and an adjacent property at 11 Saltonstall Street and via Resolution #2022-045 the City Council authorized

Rainaldi Brothers Inc. to apply to the Zoning Board of Appeals and Planning Commission for approvals necessary for the redevelop; and

**WHEREAS**, The Zoning Board of Appeals and Planning Commission voted to approval all necessary approvals for the redevelopment of the South Main Street area which contains 267 South Main Street and 11 Saltonstall Street with the legal boundaries described in the attached site plan; and

**WHEREAS**, the redevelopment plan, as detailed in the attached site plan and exterior elevations, is consistent with the City’s Comprehensive Plan will combine two separate lots into one for the development of a three story 9,000 SF commercial multi-tenant building that exceeds NYS Energy Code at a maximum height of 57’6” with no dwelling units and associated site improvements which include new utility connections, rear parking area with electric vehicle charging stations, landscaping, dark-sky compliant lighting, and new public sidewalks and landscape beds; and

**WHEREAS**, the redevelopment will improve the physical, social, environmental and economic conditions existing in the area by developing a currently vacant site that was former gas station and required petroleum tank removal and extensive remediation activities and the implementation of a NYSDEC approved Soil and Groundwater Management Plan, improve traffic circulation by closing existing curb cuts on NYS Route 332/South Main Street, provide commercial facilities and services, not involving any relocation of families or persons and increase the value of the properties which will result in a positive impact on property assessments and taxes; and

**WHEREAS**, the redevelopment entails the sale of 267 South Main Street from the City to the developer for \$1 with all other development costs, including but not limited to acquisition of 11 Saltonstall Street and architectural and engineering design services, being the responsibility of the developer that will privately finance the development with no real estate, mortgage or sales tax abatements and no municipal bonds; and

**WHEREAS**, the sale of the property to effectuate the redevelopment will include the following conditions:

- The redevelopment shall be completed within three years from the date of property transfer, and
- No real estate, mortgage or sales tax abatements shall be applied for or utilized; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council approves the redevelopment plan as described above and detailed in the attached site plan, elevations and short environmental assessment form for the South Main Street Area containing 267 South Main Street and 11 Saltonstall Street.

Before the vote, Councilmember Polimeni also reviewed the long process and is very hopeful about the future. Developer Fred Rainaldi spoke, showed the designs for the project and is excited about working with the City on the project. Joe Nacca, 109 Chappel Street spoke and thanked the work of City Council on this project and he is very happy to see that no public funds will be used for this development. Councilmember Polimeni thanked the work of the Zoning and Planning Commissions for their diligence in working through all the stages of the development plans. Councilmember Uebbing thanked City Staff for their hard work as well. The Mayor echoed these statements and is happy with the progress.

*The motion CARRIED UNANIMOUSLY on the following vote:*

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

**NOES:** None

**Resolution #2023-019:**

Moved: Councilmember-at-Large Lyon  
Seconded: Councilmember Ward 3 White

**A RESOLUTION SETTING THE TIME AND PLACE OF A PUBLIC HEARING ON THE SALE OF  
267 SOUTH MAIN STREET**

**WHEREAS**, in order to implement the redevelopment plan adopted via Resolution #2023-018, the City intends to sell 267 South Main Street to 267 South Main Street Associates, LLC for \$1.00; and

**WHEREAS**, the sale of the property to effectuate the redevelopment will include the following conditions:

- The redevelopment, as approved, shall be completed within three years from the date of property transfer, and
- No real estate, mortgage or sales tax abatements shall be applied for or utilized; and

**NOW, THEREFORE, BE IT RESOLVED**, by City Council that a public hearing regarding the sale of 267 South Main Street 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 the City Council the meeting held at 7:00 p.m on April 6, 2023; and

**BE IT FURTHER RESOLVED** that the City Clerk shall notice said public hearing for once per week for two weeks prior to the hearing.

Before the vote, City Manager Goodwin reviewed how the City got to this point, by first partnering with the DEC to help clean up the former Tom Mobil's site as it had five tanks buried under it. The couple of RFP processes with other developers that did not move forward for various reasons and how Rainaldi is the first developer to clear all the hurdles with the site.

*The motion CARRIED UNANIMOUSLY on the following vote:*

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

**NOES:** None

**Resolution #2023-020:**

Moved: Councilmember-at-Large Uebbing  
Seconded: Councilmember Ward 1 Polimeni

**A RESOLUTION ISSUING A STATEMENT OF CONSISTENCY WITH APPROVED SKETCH PLAN**

**WHEREAS**, via Resolution #2017-047, the City Council approved the sketch plan for the former List Manufacturing Property which included a two Phased project; and

**WHEREAS**, the developer has submitted application to the Planning Commission for site plan approval for Phase 2 of the project; and

**WHEREAS**, in accordance with §825-125 of the City Code, "a copy of the application shall be made to the City Council so the City Council may issue a statement of consistency or inconsistency with the approved sketch plan."; and

**WHEREAS**, Phase 2 consists of selective demolition of existing structures on the site and the redevelopment and repurposing of the former manufacturing/industrial facility into five buildings which will include new residential units and commercial spaces; and

**WHEREAS**, City Staff has reviewed the submitted site plan application and considers the plan to be consistent with the sketch plan and recommends that the City Council issue a statement of consistency to allow for the Planning Commission to complete the site plan approval process; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council hereby issues a statement of consistency with the approved site plan relative to the site plan application attached hereto for Phase 2 of the Factory 243 project.

Prior to the vote, Don Lasher was present to discuss the Phase 2. Councilmember Unrath asked about a building on the site and Mr. Lasher said they are still working on that building for Phase 3.

*The motion CARRIED UNANIMOUSLY on the following vote:*

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

**NOES:** None

**Resolution #2023-021:**

Moved: Councilmember Ward 1 Polimeni

Seconded: Councilmember Ward 2 Unrath

**A RESOLUTION MERGING 185 EASTERN BLVD INTO LAGOON PARK**

**WHEREAS**, the City became the owner of 185 Eastern Blvd. (property#84.19-1-4.11) via tax foreclosure in December 2022; and

**WHEREAS**, the property which is 0.0881 acres is vacant and adjacent to Lagoon Park and the City Manager recommends merging the parcel into Lagoon Park; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council hereby merges 185 Eastern Blvd. (property#84.19-1-4.11) into Lagoon Park (Property#84.19-1-4.12).

Prior to the vote, City Manager Goodwin reviewed the location of the parcel.

*The motion CARRIED UNANIMOUSLY on the following vote:*

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

**NOES:** None

**Resolution #2023-022:**

Moved: Councilmember Ward 2 Unrath

Seconded: Councilmember Ward 3 White

**A RESOLUTION APPOINTING DAWN HUGHSON ACTING ASSESSOR**

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

**WHEREAS**, the City’s assessor recently announced that he is leaving for a position with another municipality and although the City is currently discussing options for a shared assessor, it is necessary to appoint an Acting Assessor to fulfil the job responsibilities of the Assessor; and

**WHEREAS**, in accordance with New York State Real Property Tax Law §314 an Acting Assessor may be appointed until such time a replacement is appointed up to six (6) months; and

**WHEREAS**, the City Manager has appointed Dawn Hughson, who recently retired from the City of Canandaigua Assessor’s Office after 40+ years, as Acting Assessor effective March 13, 2023 and agreed to pay a stipend of \$450 per week on top of her hourly rate prior to retirement for the additional work and responsibilities of the position;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Canandaigua approves of the City Manager’s appointment of Dawn Hughson as Acting Assessor.

Prior to the vote, City Manager Goodwin explained how the current assessor, Steve Pigeon has given notice and will be going to work in East Aurora as their Assessor, a role held by his father who is retiring. Councilmember White said that Ms. Hughson is wonderful, so knowledgeable and grateful that she is able to come out of retirement to help. Mr. Goodwin also noted that the search for a new Assessor will be a joint search with the City of Geneva.

*The motion CARRIED UNANIMOUSLY on the following vote:*

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

***NOES:** None*

**Ordinances:**

**Ordinance #2023-001:** *Councilmember-at-Large Unrath motioned to life the ordinance from the table (introduced at the February 2, 2023 meeting), Councilmember White seconded the motion, unanimously carried and passed by voice vote. (8-0)*

**An Ordinance Amending Chapter 648, Vehicle and Traffic, of the  
Municipal Code to Add A Stop Intersection**

**SECTION 1.** §648-13 “Stop Intersections” of the Municipal Code is hereby amended to add the following:

Thompson Lane from the northeast with Thompson Lane

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

*The motion CARRIED UNANIMOUSLY on the following vote:*

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

***NOES:** None*

**Ordinance #2023-002:** Councilmember-at-Large Uebbing motioned to life the ordinance from the table (introduced at the February 2, 2023 meeting), Councilmember White seconded the motion, unanimously carried and passed by voice vote. (8-0)

**An Ordinance Amending Schedule I of the Zoning Ordinance  
Regarding Mixed Use Zone Districts**

**WHEREAS**, Ordinance 2021-005 amended the Zoning Map to consolidate the MU-1, MU-2, and MU-3 into a single zone district with the regulations applicable to the MU-2 zone district; and

**WHEREAS**, Schedule I of the Zoning Ordinance sets forth the bulk and area standards for each zone district;

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

**Sec. 1.** Schedule I of the Zoning District shall be amended to delete the MU-1 and MU-3 tables and to relabel the title of the MU-2 table to simply “MU”

Use	Lot Area (minimum) (square feet)	Minimum Width (feet)	Minimum Depth (feet)	Maximum Coverage on Lot (percent)	Minimum Height (feet) <sup>B</sup>	Maximum Height (feet) <sup>B</sup>	Minimum Setback Requirements (feet)			
							Front	Side Minimum	Total	Rear
Personal services and retail shopping uses	5,000	50	75	50%	20	45	25	10	20	35
Mixed primary uses (retail, office, residential, etc.)	10,000	75	125	50%	20	60	25	10	25	25
Tourist homes/bed-and-breakfasts	10,000	75	125	35%	35	45	25	10	25	30 (40) <sup>A</sup>
Day-care center**	10,000	75	125	35%	20	45	25	10	25	50
Business and professional offices	10,000	75	125	35%	20	45	25	10	25	25
Public, semipublic, uses**	16,000	90	150	35%	20	45	25	10	25	30
Single-family residential	6,500	65	90	35%	35	45	25	10	16	25
Two-family residential	9,000	75	100	35%	35	45	25	10	25	25
Multifamily residential (7 or more units)	1 acre	150	150	35%	35	60	25	20	40	50
Multifamily residential (3 to 6 units)	22,000	125	150	35%	35	45	25	15	35	30



## Schedule I: Mixed Use (MU)

### Schedule I: Mixed Use - Medium Density (MU-2)

Use	Lot Area (minimum) (square feet)	Minimum Width (feet)	Minimum Depth (feet)	Maximum Coverage on Lot (percent)	Minimum Height (feet) <sup>1</sup>	Maximum Height (feet) <sup>2</sup>	Minimum Setback Requirements (feet)			
							Front	Side		Rear
								Minimum	Total	
Personal services and retail shopping uses	5,000	50	75	85%	20	45	25	10	20	35
Mixed primary uses (retail, office, residential, etc.)	10,000	75	125	85%	20	60	25	10	25	25
Tourist homes/bed-and-breakfasts	10,000	75	125	35%	30	45	25	10	25	30 (40) <sup>A</sup>
Day-care center**	10,000	75	125	35%	20	45	25	10	25	50
Business and professional offices	10,000	75	125	85%	20	45	25	10	25	25
Public and semipublic uses**	16,000	90	150	35%	20	45	25	10	25	30
Major commercial development*	1 acre	150	150	50%	20	60	25	15	35	35
Drive-through banks and pharmacies*	25,000	125	150	35%	20	45	25	10	25	25
Single-family residential	6,500	65	90	35%	30	45	25	10	16	25
Two-family residential	9,000	75	100	35%	30	45	25	10	25	25
Multifamily residential (7 or more units)	1 acre	150	150	35%	30	60	25	20	40	50
Multifamily residential (3 to 6 units)	22,000	125	150	35%	30	45	25	15	35	30

### Schedule I: Mixed Use - High Density (MU-3)

Use	Lot Area (minimum) (square feet)	Minimum Width (feet)	Minimum Depth (feet)	Maximum Coverage on Lot (percent)	Minimum Height (feet) <sup>1</sup>	Maximum Height (feet) <sup>2</sup>	Minimum Setback Requirements (feet)			
							Front	Side		Rear
								Minimum	Total	
Personal services and retail shopping uses	5,000	50	75	85%	20	45	25	10	20	35
Mixed primary uses (retail, office, residential, etc.)	10,000	75	125	85%	20	60	25	10	25	25
Tourist homes/bed-and-breakfasts	10,000	75	125	35%	30	45	25	10	25	30 (40) <sup>A</sup>
Hotels and motels	20,000	125	150	35%	45	60	25	15	35	35
Day-care center**	10,000	75	125	35%	20	45	25	10	25	50
Business and professional offices	10,000	75	125	85%	20	45	25	10	25	25
Major commercial development*	1 acre	150	150	50%	20	60	25	15	35	35
Public and semipublic uses**	16,000	90	150	35%	20	45	25	10	25	30
Drive-through banks and pharmacies*	25,000	125	150	35%	20	45	25	10	25	25
Single-family residential	6,500	65	90	35%	30	45	25	10	16	25
Two-family residential	9,000	75	100	35%	30	45	25	10	25	25
Multifamily residential (7 or more units)	1 acre	150	150	35%	30	60	25	20	40	50
Multifamily residential (3 to 6 units)	22,000	125	150	35%	30	45	25	15	35	30

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

The motion CARRIED UNANIMOUSLY on the following vote:

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

**NOES:** None

**Manager's Report:** City Manager Goodwin reported on the Boil Water Advisory as there have been three water main breaks and the DEC out of an abundance of caution, issued the advisory. One test has already come back clear and the second test is scheduled for March 3, 2023, fully assuming that test would be clear and the Advisory lifted. Mr. Goodwin advocated for residents to register with the Reverse 911 for those residents who use cell phones as their main phone number. He thanked Assessor Steve Pigeon for his service to the City as his last day is upcoming. The Water Quality Report is out and available for residents, copies are in the Clerk's Office as well as on the City's website. The 2023 Park and Recreation Schedule is out for the summer, details are available on the City's website. He said that Denise Chaaple, was unable to attend the meeting, asked to remind residents of the upcoming Wedding March event happening downtown this weekend.

**Miscellaneous:** The Mayor reported on the incident that happened earlier in the week on Green Street. He thanked all the first responders who worked together and asked residents to keep those public servants in their thoughts. Councilmember Polimeni thanked the City Police Department for the work on their Annual Report, which is available on the City's website, and said it was very interesting to read all that they do. Mr. Goodwin noted that the City's Fire Department's report will also be out very soon. Councilmember Lyon reported that he, Mayor Palumbo and City Manager Goodwin attending the BID's Annual Meeting and it is exciting to see all the work they are doing and store fronts are filled. The Mayor agreed and encourages residents to shop local.

**Adjournment:** Councilmember Ward 3 White motioned to adjourn the meeting, seconded by Councilmember-at-Large Covington. Unanimously passed and carried by voice vote. Meeting adjourned at 7:49 pm.

**APPENDIX A  
MINUTES  
ENVIRONMENTAL COMMITTEE & ORDINANCE COMMITTEE**

**TUES  
DAY,  
MARCH 7,  
2023, 7:00  
PM**

**HURLEY BUILDING, 205 SALTONSTALL STREET  
VIRTUALLY: [HTTPS://US06WEB.ZOOM.US/J/84936309067](https://us06web.zoom.us/j/84936309067)  
LIVE STREAM: [HTTPS://FINGERLAKESTV.ORG/LIVE/](https://fingerlakestv.org/live/)**

Environmental Committee: Karen White, Chair  
Erich Dittmar  
Renée Sutton

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

City Staff Present:

John Goodwin, City Manager  
David Hou, Corporation Counsel

Absent:

Sim Covington, Jr.

Chair White opened the meeting and read the Core Values. She reviewed the first item for the landfill discussion and also added discussion of the Fire Boat with members of the Sheriff's Department who were present.

Supervisor David Baker spoke, however, there is an audio issue and his comments cannot be transcribed. Members of the Sheriff's department spoke on the issue of the marine patrol they provide, responding to complaints, penal law enforcement and crashes on the water. As far as an actual Fire, the Sheriff's Office is not able to mitigate anything for fire as well as any oil spill that may happen on the Lake. Rescues can be performed, as they do have a dive team. They have not seen the fire boat but assume the boat would be able to handle both. The Sheriff's boat does not have the capabilities to provide fire suppression. Discussion regarding a fire that took place on West Lake Road, the Sheriff's office provided support but unable to put the fire out. David Baker spoke again and said the County they had never been asked to help with the fire boat. Audio issues are still continuing and some of the comments may have been lost.

Chair White moved onto Ontario County City Supervisor Rich Russell. He spoke on the Ontario County Landfill and introduced Carla Jordan, Ontario County Director of Sustainability and Solid Waste Management. Ms. Jordan presented to members present on the latest details on her department which was established in 2019. She reviewed the County solid waste plan. The County also introduced a strategic plan in 2022. Audio issues are continuing during her presentation. County residents send almost 5,000 pounds of waste to the landfill. The recycling center at the landfill receives 60,000 tons of recycling materials from all over the state. The County does have recycling laws in place and will be updating those laws and as the City of Canandaigua is a stakeholder, we will be receiving the update law to help with enforcement. She reviewed recycling tips and the County will be offering the backyard composting program again in May 2023. She reviewed the landfill site forecasting beyond 2028 when the current arrangement with Casella is set to expire. Right now, there is a request for quotes for professional services regarding to study the economic impact, alternatives to current landfill operations and post closure considerations. County Supervisors will be reviewing the proposals. In regards to the lease agreement revenue that Casella provides the County (\$4 million), officials will need to review the economic impact as well as the direct effect on residents. Currently, residents do not pay for recycling as part of the agreement with Casella. There are no tip fees, but there could be fees to each resident should the lease agreement change at the end of 2027. Post closure considerations will need to be worked out with Casella and the County. Odor control issues are reported to the DEC and the County directly and there is a hotline on the County's website. The County is very encouraged by the City's solid waste collection program changes. She discussed the efforts by the State to move municipalities to pay to throw programs. She encourages residents to review all the details on the County website. Mayor asked about the decision on closing the landfill. Ms. Jordan said the contract thought 2028, the decision will be with the County Board of Supervisors. Chair White asked the percentage of recycled materials that are moved to trash. Ms. Jordan said that 9 – 10% is the residue rate at the County level, which is great. Chair White encourage residents to review the details on the County site for all the information.

Mr. Goodwin reviewed Community Choice Aggregation (CCA) Restart, looking to have the discussion of whether or not City Council is looking to bring this program back for City residents. Discussion will be moved to the next meeting and the program isn't slated to start until August 2023. Due to the technology's issues, the meeting started late, and the continued technologies issues will be rescheduled.

Chair White closed the meeting

Ordinance Committee: Erich Dittmar, Chair  
Renée Sutton  
Karen White

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

City Staff Present: John Goodwin, City Manager  
David Hou, Corporation Counsel  
Rick Brown, Director of Planning and Development

Absent: Sim Covington, Jr.

Chair Dittmar opening the meeting. There are still ongoing audio issues, so some of the comments may be lost. He reviewed the first agenda item.

Chair Dittmar reviewed the Commercial Flags. At the September 27, 2022 meeting, the Planning Commission discussed their concerns relative to commercial flags. As a result of that discussion, the Committee requested that the Planning Commission provide a recommended ordinance for consideration and further discussion. The recommended ordinance was discussed at the Ordinance Committee meeting on January 17, 2023 and as part of that discussion the committee requested that businesses that utilize the flags be invited for their input. The 15 businesses that over the last 10 years have either received a permit to display a flag or were cited for displaying a flag without a permit have been invited to this meeting. Jenny Timarini from Canandaigua Sailboard spoke and advocated for the ability to have signage is critical to success of our business. Tom Crane, owner of Canandaigua Hair in Parkway Plaza spoke and has been in business for 14 years. Has a feather flag promoting his business since his permit was approved. He has had several customers find his store as a result of the flag and advocating that no changes be made. Councilmember White asked when this first was introduced. City Manager Goodwin said that it was brought up last October to Council, as the Commission saw a concern, and Council wanted to wait to see what feedback they could receive from local business owners potentially affected. Letters were sent to those businesses asking them to appear and discuss their feedback. Stanley Taylor, 165 Kennedy Street, Chair of Planning Commission spoke, the Commission had asked Council to review, over a number of meetings that the Commission has had, they have had request for commercial flags or “feather flags” and have approved them. However, he noted, several flags have popped up where permission or a permit has not been given. They also became aware of commercial flags that are put in place by businesses without a permit, causing issues with having Code Enforcement make repeated attempts to find the owners of the flags. The Commission felt that these flags were a traffic hazard to motorists as they are driving because they pop out near the street lines, especially on Lakeshore Drive. In addition to the distraction, the Commission feels that they have adequate signage to promote their business and changes are needed. Mt. Taylor noted at least 12 flags on Lakeshore Drive that are a distraction at the South Main Street area. There are issues with how the flags are in place, some are very precarious. We want to try the visual Blythe that the planning commission is trying to prevent. Councilmember Sutton said that she isn’t inclined to move this forward and appreciate the work of the Commission. Councilmember White said that she is reluctant to make a change after what she has heard tonight. Chair Dittmar thanked the Commission for their work on this issue.

Chair Dittmar moved to the second agenda item, the Planning Commission and Zoning Board of Appeals met jointly on January 25 and February 13, 2023 to review the existing rules and regulations for Short-Term Rentals. The boards have several recommendations that they would to present to the City Council for consideration. Rick

Brown, Planning Director reviewed, the memorandum, summarizing the recommendations and draft proposed changes that the joint commissions are recommending. The short-term rentals law in its current state has been in place since 2018, to date, they have received 31 applications, 21 approvals, 7 denied applications and 3 that are currently pending. Based on what the commissions have seen with the increase in applications, both boards have established some patterns and precedents in their application reviews, and as such both commissions have expressed their concerns. One of the issues with the Planning Commission is the first threshold question, if the property is compatible with adjacent properties. They have found that host free short-term rentals are not compatible with residential neighborhoods. Mr. Brown continues to summarize Planning Commission feedback, as whether or not it is the primary residence of the person making it a short-term rental, they have been denying these applications. The Zoning Board, conversely, they have heard 5 requests to issue variances to the primary resident requirement, 3 of these requests were approved and two are pending. For area variances, the Zoning Board is charged with balancing the benefit to the individual against the hardships or detriment to the community, if the variance is granted. In all three of the approvals, they have found that the primary resident requirement does not significantly change the characteristic of the short-term rental. Zoning has been approving these, they are 3 for 3, while it might not be enough to establish a clear precedent, it is a concern that there is a requirement that was put in place by City Council, that is being varied. Mr. Brown continued, based on what they have seen over this period of reviews, the commissions came together to discuss these issues and crafted their recommendations. The draft of the 5 recommendations that are being reviewed tonight is from their discussions. They more clearly defined the differences between the short-term rental and Bed and Breakfasts, hosted and non-hosted rental is, eliminated the requirement of primary residents, both boards are finding that it just isn't working as originally intended. Reducing the area that short term rentals are permitted. The single-family districts R1 and R2s, not allowing short term rentals. Having short term rentals in mixed use zone districts are permitted in the city. Having some kind of revocable permit, not like how special permits are handled now, that does not carry over or transfer with the property. The fifth, is that if the council would like to consider these issues, that they also consider a moratorium on short term rentals until they have decided the next course of action. Councilmember Sutton asked the reasoning behind the primary residence issue. Mr. Brown said that ideally, the primary resident is renting out their property a few times a year while living in the residence. What the commissions are seeing, several, where it has been questionable. They may have mail delivered to that home, voting registration and DMV that suggests it is their primary residence, but it is clearly the intent to rent that property out for as long as they can. The other is in a multi-family situation, where a two-family home, they are renting 12 months out of the year. He isn't really sure if this was the intent of the law. Councilmember Sutton asked where do these people live if constantly renting out their primary residence. Mr. Brown said, this is what both commissions are struggling with. Councilmember Sutton asked how does the commission know the rules aren't being followed. Mr. Brown responded by saying the details are in application, where an applicant may say that they travel a lot for work and will not be available. Councilmember Sutton said that significantly restricting the areas where short term rentals can be, she isn't in favor of and she does like the idea of a revocable permit. Councilmember White said that she agrees with Councilmember Sutton, she asked that if the current ordinances in place to help navigate the short-term rentals, the property owner could be cited to help weed out potential situations. She doesn't understand the moratorium suggestion as puts more pressure and uncertainty on residents looking for an answer with their application, she is interested in the licensing. Chair Dittmar doesn't like limiting the zoning to certain areas. He asked about the commissions conclusion that it isn't compatible with residential neighborhoods. Mr. Brown explained that it is a form of lodging, with people coming and going in a residential neighborhood, it isn't compatible. He is okay with the resident requirements being dropped and is in favor of the licensing. Councilmember discussed the use variance versus the area variance. Councilmember Polimeni suggested that it might be a good idea to go with the moratorium and to have Council meet with the Commissions to better understand all the nuances involved before making a decision. She thanked the commissions for working together on these complex issues. Councilmember Unrath agrees with Councilmember Polimeni on the moratorium should start and stop accepting new applications, while letting the current applications play out. Mayor Palumbo said that since this is a housing issue, are we losing residents able to move here as these properties are being purchased to be short term rentals. Mr. Brown said that we have 31 short term rentals with 3,000 rental units in the City. Councilmember Lyon agrees with Councilmembers Polimeni and Unrath on the moratorium

idea. Mr. Brown clarified; the moratorium is only for short term rentals in residential districts. The commission would continue reviewing short term rentals in mixed use or commercial districts. Stan Taylor, Chair of the Planning Commission, discussed the permit with short term rental. We have to grant a special use permit for that short term rental. Currently, that permit transfers with the property should it be sold. What we are seeing is an end to the special use permit and it cannot transfer with the property. We are just asking to tinker with our current ordinance. We had all received a letter on 2/18 from a resident in South Pearl Street, and her concerns were very thing that the two commission have wrestled with. We are seeing rental being much longer than a 20-day rental, we are seeing where they are now six months or longer. Mr. Taylor discussed the updating of the second and third floors of the commercial district on Main Street, and reviewing those applications are much different. They are seeing there approving these commercial spaces for short term rental will pay off in the future for the downtown area. Chair Dittmar said that it is worthy to entertain the changes. Councilmember Sutton said that she is not in favor of the majority of the recommendations, does want to continue discussions and is not in favor of a moratorium. Councilmember White agrees. No motion was made and discussions will continue. Chair Dittmar thanked Mr. Brown for discussing this and it will be added to the next agenda.

Chair Dittmar moved onto Solid Waste Collection Program. The City Council has received feedback from various groups related to the City Solid Waste Collection program and has added this item for continued discussion; specifically, the request from Mr. Viggiani related to large families, mixed-use properties, or other properties that do not or will no longer receive City solid waste collection. At the Finance Committee meeting, the committee voted to amend the ordinance to allow for the continued collection of condominium developments within the City. A draft ordinance is attached for review and discussion. Chair Dittmar said that they could give large families a second toter for free and he is against this. We all agreed to the program and he would prefer to stay with the program at hand. 33% of waste going to the landfill were compostable. We need to continue to educate the City Residents on ways to reduce trash. Councilmember White agrees with Chair Dittmar. Councilmember Sutton agrees as well. City Manager Goodwin said that with the closure of the landfill, everything will cost more, while recycling is currently free, this will change. It will be a tough economic decision going forward. Mayor Palumbo advocated for families to try and reduce waste and use one toter. Councilmember Uebbing, agrees, it is unfortunate that they may have to bear more expensive or change their practices, and what we have to do is create less waste. Mr. Michael Yarger, said that every property owner is paying for this practice, he thinks everyone that is paying should be receiving trash service. Patrick Rhodes, Buffalo Street, is there a concern with residents placing trash into recycling to avoid paying for an additional toter. City Manager said that the 64-gallon toter fits 5 garbage bags and encourages residents to continue to reduce ways to reduce trash. Mr. Palumbo said that a resident had contacted him from Mohawk Road, and parts of their property is in the Town and they pay taxes to both. They have received pick up from the City and followed everything and they did not receive new toters. He is asking to have that resident grandfather in, but due to the circumstances of this particular property had the service and should continue. Council should be able to decide. City Manager Goodwin shared the details with Council on 5069 R North Rd, vacant property with improvements. The House is in the Town and a piece of the garage is in the City. We did not provide toters to properties that are in the Town, as Town residents are able to take their waste to the Town free of charge. Councilmember White said that since the house is in the Town and Councilmembers discussed what would happen if they decided too. City Manager said that the Town is looking to change the boundary line and those discussions are forthcoming. Councilmember Uebbing asked how many properties straddled the line that were receiving services that aren't now. City Manager Goodwin said that in these areas they are talking about three properties. Councilmember Uebbing said that since they are paying taxes to the City, even a small amount, he believes they should continue. Goodwin said the property classification code is where they drew the line. His sense that we picked up garbage there all the time that we should continue. Chair Dittmar has no desire to change any details to the ordinance. Councilmember Sutton doesn't like how it was handled, they were told they were getting a toter and found out they weren't. She doesn't like how it was handled and wants to help but since there are plans to move it to one municipality, we do not need to pick up their garbage. They are owed an apology for how this was handed. Councilmember White said that they knew they were Town residents and sadly there was a snafu but agrees with Councilmember Sutton. City Manager said that he has apologized to them and we are making arrangements for them to get garbage toters.

Chair Dittmar moved to discuss the Volunteer Firefighter Tax Exemption. Chief Magnera said we currently have five volunteer firefighters; we are in favor of this and this is one opportunity to help incentivize volunteers. He will leave the decision to Council to decide. He believes it would be a good thing for our community. Chair Dittmar said he would be in favor of opting in to this local law. Councilmember Sutton moved to approve its adoption, seconded by Councilmember White. Unanimously passed and carried. Chair Dittmar thanked Chief for staying. Councilmember Polimeni thanked the Chief for his hard work on the annual report from the department and appreciated his hard work.

Chair Dittmar discussed the Solid Waste Ordinance changes with Corporation Counsel Hou, who recommended bringing the those changes to the full council for adoption. Councilmember Sutton clarified that the changes are to the condo language as previously discussed. Councilmember Sutton moved to approve moving the changes to the full council for review, seconded by Councilmember White. Unanimously passed and carried.

Councilmember Sutton moved to adjourn, seconded by Councilmember White. Unanimously passed and carried. Meeting ended at 9:07 pm.

**APPENDIX B**  
**MINUTES OF THE**  
**PLANNED UNIT DEVELOPMENT COMMITTEE,**  
**PLANNING COMMITTEE & FINANCE COMMITTEE**  
**TUESDAY, MARCH 21, 2023,**  
**6:00 PM**  
**COUNCIL CHAMBERS**  
**HURLEY BUILDING, 205 SALTONSTALL STREET**  
**VIRTUAL: [HTTPS://US06WEB.ZOOM.US/J/84662898580](https://us06web.zoom.us/j/84662898580)**  
**LIVE STREAM: [HTTPS://FINGERLAKESTV.ORG/LIVE/](https://fingerlakestv.org/live/)**

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

**Others Members Present:** Sim Covington, Jr.  
Erich Dittmar  
Renee Sutton  
Karen White  
Mayor Palumbo

**City Staff Present:** John Goodwin, City Manager  
David Hou, Corporation Counsel  
Rick Brown, Planning Director  
Nancy Abdallah, City Treasurer

Chair Lyon opened the meeting and welcomed members present. He reviewed the agenda items. He reviewed the Planned Unit Development (PUD) Request – North Classics Subdivision. In 2005, approval was granted to subdivide 18 acres for 66 homes. These would have been configured on 55-foot-wide lots as “attached single family homes” (similar to what exists on Stewart Place). This project never began and the land was ultimately sold to another developer, Chris Iversen. In 2021, Chrisantha, Inc. submitted an application to maintain a similar density of 72 units on 30 acres, but use detached homes instead of attached and with a dedicated City Park. Mr.

Iversen withdrew this proposal after an initial City Council review. Recently, Chrisantha, Inc. has submitted a new proposal in this northeast quadrant of the City between Stewart Place, Kennedy Street and North Road. The new proposed development is 132 for sale attached homes. A pre-liminary site plan is being reviewed. He introduced Chris Iverson, who presented on the plans, this is an informal presentation. This is the start of PUD process; we are asking for consideration will be granted and if you are willing to go forward. He is a strong believer in home ownership. They have tried in the past to make this property developable. So, we have been told that we were better off proposing apartments, but we feel proposing a for sale project is best for this property. Part of the issues outside of the high construction costs is the stormwater path that cuts through the property. That has to be maintained and traffic has to be re-rerouted, but not withstanding this is an important area for development. It ties in well with the current infrastructure. Alex, from Costa Engineers spoke on the design. He reviewed the layout of the design. Mr. Iverson said that this would be a dedication project, so there would be no homeowner's association with the project. Councilmember Polimeni asked about the roadway, speaking for people who live in Ward 1, large trucks will be an issue and asked about the roadway from North Street if it would be connected. Mr. Iverson that they have not worked out a phasing plan but most of the construction traffic could be moved to the North. These Townhouses will be lower in cost so that renters have an opportunity to buy in this area. City Manager Goodwin asked if they would be going for any grants for the project. Mr. Iverson said that there is an opportunity to apply for CBDG Grant for infrastructure to help, that should it be awarded, will help reduce the cost of the Townhomes. He is also looking into a program by the Governor's Office for first time home buyers. Councilmember Polimeni asked about the retention ponds. City Manager said we would take on the maintenance of the ponds as well as the stormwater system. Mr. Iverson said that the engineering isn't prepared yet and the drawing they are reviewing may change. Open space park area would not be included in this design. With this project they are targeting first time homeowners and having a garage facing units, help keep costs low. Councilmember Unrath asked, since there isn't a home owners association and there are shared walls, how would that work? Mr. Iverson said that they would add party walls. They would have party walls and defined lot that the homeowner would have to maintain. City Manager said that the Governor's Office has a proposal for each municipality to add so many affordable housing units. This development, should it move forward, would meet the required need, although it may not move forward. Councilmember Unrath said this area seems to fit in well with the area. City Manager clarified the next step, Mayor Mr. Iverson is seeking to put in a PUD application after taking a straw poll tonight to move forward. Mayor Palumbo said asked if the planning/zoning is hitting the mark. Rick Brown, Planning Director, had audio issues and was unable to comment. Councilmember Uebbing said that he would like to move forward. Councilmember White asked to clarify the cost of the homes and if there are any other benefits provided. Mr. Iverson said that he isn't able to speak to price, housing material costs have jumped, so it difficult to peg a price. They are hoping to get a CBDG grant to help lower the construction costs to help affordability for those on the lower end of the scale that are looking for a house. Melanie Poorman, 140 Chapel Street asked if this is connection on Chapel Street. The development is not going as far as Chapel St, as Mr. Goodwin explained. She also asked if there would be trees and Mr. Iverson said that there would be a landscaping plan. Chair Lyon asked for straw vote to move this forward. Councilmembers present voted yes and Chair Lyon thanked him for his time.

Chair Lyon moved up the Draft Signage and Wayfinding Plan and Parking Study discussion ahead of the community choice discussion. He reviewed the details, both the City and the Town of Canandaigua recently completed active transportation planning initiatives, during which it was identified that the municipalities should consider area-wide signage and wayfinding to assist residents and visitors navigate Canandaigua and support economic development opportunities. The Canandaigua LDC commissioned Bergmann to provide a signage and wayfinding plan for Uptown (Town of Canandaigua), Downtown (City) and the Lakefront (City), Ted Liddell, from Bergmann Associations, presented both reports, Signage and Wayfinding Plan as well as the Parking Study. During the completion of the Waterfront Active Transportation Plan, the need for a parking analysis of on-street and publicly owned off-street parking facilities for Downtown and the Lakefront was identified to better understand the existing parking supply and demand, identify gaps within the public parking system and make recommendations for future considerations. Mr. Liddell reviewed both plans with Councilmember present. Questions from Councilmember Polimeni asked about parking on Muar Street. Mr. Liddell said that it is covered



in the plan and is underutilized. The Lakefront parking lot were underutilized as well, near the Hotel Canandaigua. It is a matter of informing the public that those lots are available. Chair Lyon said that there is a lot of great information and thanked him for his time. City Manager Goodwin noted that a long-term parking committee has been formed to help with those apartment dwellers in the downtown area, reviewing the regulations.

Stef Allison, a local artist and Courtney Austin, teacher at Canandaigua Academy presented on a mural project at Jefferson Park. They presented their plans to Councilmembers present. Councilmember Polimeni thanked them for their presentation. She has gone to the skate park and met people there from outside the area. Councilmember Uebbing said that he is really impressed with the planning and is very happy with the design. City Manager Goodwin said that the funding for the mural, is coming from creating a mural rec program that will help pay for the cost of the painting, the time of the artists and as of right now only a couple of open spots left for kids to sign up to help. Last year, less than a handful of students attending the camp there and now with the new offering more than 100 students have signed up to be a part of the mural painting. They will be working with kids, mostly elementary students, creating these murals throughout the park. Councilmember Covington appreciated the silhouettes drawings and creates a conversation about diversity in a non-treating way. Ms. Austin said that they are looking to do a reveal at the end of the camp. Councilmember Polimeni motioned to approve the mural design, seconded by Councilmember Unrath, unanimously approved and carried onto full council. Chair Lyon thanked them for their time and designs. City Manager Goodwin noted there are other parks that may be use for following summer too.

Mr. Goodwin noted that Shannon was not able to attend to discuss the Community Choice Aggregation program. However, Mr. Goodwin asked Council if this is something they would like to continue with the program. There is an open meeting scheduled at Wood Library for later this week. Chair Lyon said she believes this is something the community needs. Councilmember Polimeni motioned to approve the program to move onto full council, seconded by Councilmember Unrath. Unanimously passed and carried.

Chair Lyon moved onto the License Agreement – Management for The Central on Main. Pierre Heroux, owner of Simply Crêpes, was unable to attend tonight's meeting. Mr. Goodwin said that Mr. Heroux has asked to manage The Central on Main and proposed a license agreement. The proposal includes Simply Crêpes being responsible for marketing, managing the guest experience, contracting with bands, managing the bar including alcoholic beverages, trash removal and providing insurance coverage and security. This management would be for Friday and Saturday evenings (5 PM – 10 PM) from May 15<sup>th</sup> to September 9<sup>th</sup>. Patrons would pay a \$5-\$10 cover charge which would include a drink and pay for the bands with the idea of being able to attract larger draw local bands. The license agreement would have Simply Crêpes pay the BID and the City 5% of total event revenues collected and coordinate/invite other area participating restaurants to do the same. The BID has recommended some changes to the proposal for only Saturday nights, not Friday nights. The BID Board had great interest in trying this for a year, according to Denise Chaaple, who spoke on behalf of the BID. Sunday – Friday would be under the BID, with Saturday going to the Simply Crepes. Discussions are ongoing. They do want to move the time to 10 pm, which needs further discussion, but the BID Board approved a one-year contract with Simply Crepes. Mr. Goodwin said that Linden Street in Geneva was a model for this and in order to do with we would have a license agreement with him. What we proposed was that 2500 for the use of the space. Councilmember Uebbing asked is the 2500 the gross revenue and yes, that's what Mr. Goodwin said. Wally's wanted to do something similar a few years ago, would we shut down the street to do the same. Mr. Goodwin said that it would be considered. Councilmember Uebbing asked is this fair and reasonable, giving them single use to this facility. Mr. Hou said that the primary use is with the public for the majority of the time. Mr. Goodwin said that it was not an extension of simple crepes and we don't want this to be all the restaurants to participate if they so choose. Mr. Hou said that at least five other restaurants have to be included as part of the agreements. Councilmember Uebbing questions on the facilities available should bigger events be involved. The BID would be responsible for providing facilities, Mr. Goodwin noted. Ms. Chaaple said this is a shared concern with the BID Board and that's why they are proposing only one night, it is revocable license that should something go wrong, and we all thought it would be worth a shot. The goal is to bring people downtown and

this may bring more people here. The restaurant staff will not be working these events. Mr. Heroux will be providing separate staff. Discussions on the arrangements and projected revenue were not available from Mr. Heroux. The cover charge is not apart of the revenue to the City and the cover charge will be part of the fees that pay the acts that come here. Councilmember Sutton thinks the City should approve the bands that he is choosing. With respect to the other restaurants participating if Mr. Heroux has the contract, Ms. Chaaple said that she hopes they will still participate and potentially give donations for their names to be on the tables and promote the Central. Councilmember Sutton worries that this is making the Central and extension of one business and doesn't seem that there is a lot coming off the plate of the BID. Ms. Chaaple does see potential on seeing this through for one year and believes that our downtown can handle this for one night a week. Chair Lyon said that there may needs to be more discussion before a vote of any kind can take place. Ms. Chaaple said that he is eager to move forward and is aware of the change to Saturday nights only. The biggest concern is stopping at 9 pm, when he would prefer to stop at 10 pm. Councilmember Polimeni said that may of Council questions are questions were discussed in great detail at the BID Board meeting. Ms. Chaaple spends the majority of her time there and it would give us a view on whether or not it could be run in a different manor. Councilmember Polimeni motioned to move this to full council and address the security, bands questions. Mr. Goodwin said that the license has a catchall that should CPD or the City have concerns, we will be able to work with him on, should Council be comfortable. Councilmember Unrath seconded the motion, and the motion failed on the vote. Mr. Goodwin asked Councilmember Unrath or from any Councilmember to email him those and he can work with Ms. Chaaple and Mr. Heroux on the answer.

Chair Lyon closed the meeting.

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

Others Members Present: Sim Covington, Jr.  
Erich Dittmar  
Renee Sutton  
Karen White  
Mayor Palumbo

City Staff Present: John Goodwin, City Manager  
David Hou, Corporation Counsel  
Nancy Abdallah, City Treasurer  
James Sprague, Director of Public Works

Chair Uebbing opened the meeting and welcomed members present. He moved into the first agenda item, Engineering Contracts. He explained that there are various capital projects that require engineering work. The three projects will be decided on tonight and each have a separate engineering design contract. He reviewed the first contract for, Engineering/Design for Installation of back-up generators and associated equipment was ordered for several facilities (Fire Station #1, Hurley Building, Water Treatment Plant, Lakeshore Drive Sanitary Pump Station and Yacht Club Cove Sanitary Pump Station. The delivery of these generators is expected in late third quarter or fourth quarter this year. An RFP for the engineering design services for the installation of the back-up generators was issued on January 27<sup>th</sup> with seven (7) firms responding, the lowest being M/E Engineering, for \$48,000, plus \$10,000 for project administration. M/E Engineering has successfully completed several projects for the City in the past. Chair Uebbing said called for a motion. Councilmember

Lyon motioned to approve M/E Engineering's Bid, seconded by Councilmember Polimeni, unanimously passed onto full Council. Chair Uebbing reviewed the second contract, Engineering/Design Improvements to former Transfer Station on County Rd 46 & Saltonstall Street Bridge over the Canandaigua Feeder Canal. The entrance to the former Transfer Station site, currently where all yard waste is stored, is in need of improvements. The culvert and the driveway are in need of replacement and safety and security improvements are necessary. Due to the proximity, this project was combined with engineering/design for improvements and repairs to the bridge on Saltonstall Street over the Feeder Canal. The bridge related work involves a bridge inspection and engineering/design for maintenance and repair of the bridge. An RFP was issued on January 27<sup>th</sup> with four (4) firms responding with the lowest being Lu Engineers for \$28,000, plus \$3,600 for project administration. Councilmember Lyon motioned to move to approve Lu Engineering this to full council, seconded by Councilmember Polimeni. Unanimously passed and carried. Final contract to review, Lakeshore Drive Bridge over Canandaigua Outlet. An RFP was issued on January 27<sup>th</sup> for engineering/design to rehabilitate the Lakeshore Drive bridge over the Canandaigua Outlet. This involves a bridge inspection and engineering/design for removal of the sidewalk as well as necessary maintenance and repairs. Six (6) firms responded and the lowest cost proposal being from Hunt Engineering, for \$28,750. Hunt Engineering has successfully designed several projects for the City including the reconstruction of the stretch of Bristol Street from Sucker Brook west to South Pearl which included the rehabilitation of the bridge over Sucker Brook. City Staff recommends awarding this contract to Hunt Engineers. Councilmember Polimeni motioned to approve and move to full Council and Councilmember Lyon second. Prior to the vote, Chair Uebbing discussed the safety of the sidewalk on the bridge and City Manager said this was something they had been reviewing making changes for some time. Councilmember Polimeni was glad to see they are improving the area as this was needed. Chair Uebbing asked about restricted large trucks on the bridge. City Manager said if this is something Council will like to add. Jim Sprague said that they will do a full review of the bridge and make recommendations. Unanimously passed and carried to full council.

Chair Uebbing moved onto Decommission of Barn at Water Treatment Plant. In order to prepare for the installation of a new back-up generator at the Water Treatment Plant, an existing barn utilized for storage, needs to be removed as there is not sufficient space currently. City Staff recommends declaring the barn surplus and requesting proposals to deconstruct or dismantle the barn. City Manager old green barn circa 1900s will be in the way of the new generator. 16x20, two stores. Councilmember Polimeni motion to approve taking down the barn, seconded by Councilmember Lyon. Unanimously passed and carried.

Chair Uebbing introduced, City Treasurer, Nancy Abdallah. She reviewed the 2022 Preliminary Financials. She said that the auditors are wrapping up their work shortly. She reviewed the various funds with Councilmembers present. They reviewed the General Fund, Water Fund and noted that changes may need to be made to the Technology Fund. City Manager Goodwin noted the issues around the cell tower that the City owns. The previous contract holder, Crown Castle is contesting the ownership, which is stalling the T-Mobile agreement moving forward. Corporation Counsel, David Hou, said that he is working on the issue and is hoping to have it be resolved. More details will follow. Review of the sewer fund, water fund and capital projects were discussed with Councilmembers. City Manager will distribute Mrs. Abdallah's report for their review. Chair Uebbing thanked Mrs. Abdallah for her hard work putting everything together.

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