

MINUTES OF THE CANANDAIGUA CITY
COUNCIL MEETING
THURSDAY, FEBRUARY 2, 2017 7:00 P.M.
City Council Chambers
City Website: canandaiguanewyork.gov

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

Pledge of Allegiance:

Roll Call:

Members Present: Councilmember Ward 1 Nick Cutri
Councilmember Ward 3 Karen White
Councilmember Ward 4 Cindy Wade
Councilmember-at-Large Robert O'Brien
Councilmember-at-Large James Terwilliger
Councilmember-at-Large David Whitcomb
Mayor Ellen Polimeni

Members Absent: Councilmember Ward 2 Anita Twitchell (Arrived 7:03 PM)
Councilmember-at-Large Matt Martin (Arrived at 7:01 PM)

Also Present: City Manager Ted Andrzejewski
City Clerk-Treasurer Nancy C. Abdallah
Assistant City Manager John Goodwin

Corporation Counsel Michele O. Smith was absent due to a family emergency.

Review of Community Core Values: Councilmember-at-Large O'Brien read Community Core Values: As residents, city staff and appointed & elected officials of the City of Canandaigua, our decisions and actions will be guided by these core values: Responsive, Participatory Governance; Caring & Respect; Integrity; Heritage; Stewardship; and Continuous Improvement.

Approval of Minutes:

Councilmember-at-Large Terwilliger moved for the approval of the Council Minutes of January 5, 2017. Councilmember-at-Large Whitcomb seconded the motion.

Recognition of Guests:

- Adam Fayette, Volunteer Firefighter, read a statement on behalf of the active members in support of the suspended Fire Chief Mark Marentette.

Committee Reports:

Planning Development Committee Meeting: January 3, 2017 (Reported on Last Month)

Environmental/Parks Committee Meeting: January 10, 2017 (Appendix A)

- Pro Snow Campaign
- Special Event - Downtown Canandaigua Fire & Ice Winter Festival
- Lakefront Park Parking Space Lease – L.L. Bean
- Professional Services Agreement – Ontario County Soil and Water Conservation District

Ordinance/Charter Committee Meeting: January 17, 2017 (Appendix B)

- Billboards
- Section 504 (ADA Compliance)
- Executive Session – Legal Update

Finance/Budget Committee Meeting: January 31, 2017 (Appendix C)

- Canandaigua Lake Watershed Council Grant Project
- Hurley Building Network Connection
- Capital Budget Amendment – Loader
- Water Fund Capital Budget Amendment – High Lift Pump Rebuild
- Civil Service – Establishing Position - Recreation Supervisor
- General Discussion – Budget Items
- Executive Session

Charter Review: January 11, 2017 (Appendix D)

Planned Unit Development: January 26, 2017 (Appendix E)

Resolutions:

Resolution #2017-006:

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

A RESOLUTION AUTHORIZING A SPECIAL EVENT
Downtown Canandaigua Fire & Ice Winter Festival

WHEREAS, the City Council of the City of Canandaigua has received the following application for a special event in the City of Canandaigua:

- *Canandaigua Winter Festival*
Date: February 25, 2017
Location: Main Street Sidewalks, Chamber Parking Lot, Commons Park & Coach Street Parking Lot
Coordinator: Downtown Business Improvement District
Time: 10:00 a.m. – 6:00 p.m.
Purpose: Promote Downtown
Expected Number of Participants: 5,000

WHEREAS, this request was reviewed and approved at the January 10, 2017 Environmental/Parks Committee meeting;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that permission is granted to hold the abovementioned special event at the time and location listed under the following conditions:

- 1) that no fee or admission shall be charged to the general public for admission to the special event; and

- 2) that alcoholic beverages are not permitted to be sold or consumed on public property; and
- 3) that if the event coordinators intend to place any signs in the Main Street median, such signs shall only be allowed by permit of New York State Department of Transportation; and
- 4) that the event coordinator will ensure that all tents that are required to be inspected will be inspected prior to the start of the special event; and
- 5) that a detailed summary of all costs under the City's special event policy will be provided to the event coordinators for reimbursement.

BE IT FURTHER RESOLVED that the organizer of the Special Event shall adhere to any regulations that the City Manager, or the City Police Department, shall establish to insure the health and safety of Canandaigua residents and visitors throughout these events.

The motion CARRIED UNANIMOUSLY on the following vote:

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

NOES: None.

Resolution #2017-007:

Read: Councilmember Ward 2 Twitchell
Moved: Councilmember-at-Large Whitcomb
Seconded: Councilmember-at-Large Martin

**A RESOLUTION RENEWING A REVOCABLE LICENSE
TO L.L. BEAN TO USE A PORTION OF LAKEFRONT PARK**

WHEREAS, L.L. Bean conducts classes to promote a healthy lifestyle and encourages open water activities; and

WHEREAS, the City can allow the Park to be used for purposes that are incidental to the park's purpose and which promote the park and recreational use of the land provided that it is pursuant to a revocable license and the City receives adequate consideration (as determined by the City Council); and

WHEREAS, L.L. Bean has had a revocable license agreement since 2014 (renewed in 2015 and 2016) with the City to reserve four (4) parking spaces for their trailer in Lakefront Park by the outlet which stores kayaks, paddle boards and associated equipment for their Outdoor Discovery School; and

WHEREAS, L.L. Bean had request to renew the revocable license agreement for 2017; and

WHEREAS, the Environmental/Parks Committee reviewed and approved the renewal of the revocable license agreement for 2017;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the City Manager is authorized to execute with LL Bean a revocable license agreement, in substantially the same form as attached hereto, to reserve four (4) parking spaces in Lakefront Park for 2017 and that all the associated fees be deposited in the Kershaw Park Reserve Fund.

Discussion: Councilmember Ward 2 Twitchell and Councilmember Ward 3 White were in favor of increasing the fee. The fee for LL Bean has remained the same for four years. Assistant City Manager

John Goodwin stated that LL Bean's budget was set for this year and did not anticipate an increase. Other Councilmembers would like to keep the fee the same for this year but look at the fee for next year.

The motion CARRIED UNANIMOUSLY on the following vote:

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

NOES: Council Member Ward 2 Twitchell, Councilmember Ward 3 White

Resolution #2017-008:

Moved: Councilmember Ward 1 Cutri

Seconded: Councilmember Ward 2 Twitchell

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ONTARIO COUNTY SOIL AND WATER CONSERVATION DISTRICT

WHEREAS, for several years the City has had an agreement and utilized the Ontario County Soil and Water Conservation District to provide professional services to review storm water management plans for larger development projects, if necessary; and

WHEREAS, the agreement between the City and Ontario County Soil and Water Conservation District expired on December 31, 2016 and needs to be renewed; and

WHEREAS, the Environmental/Parks Committee reviewed and approved the proposed renewal agreement at its January 10, 2017 meeting;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the City Manager is authorized to enter into an agreement, in substantially the same form as attached hereto, with Ontario County Soil and Water Conservation District for the purpose of providing professional services for storm water management plans for certain developments.

The motion CARRIED UNANIMOUSLY on the following vote:

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

NOES: None.

Resolution #2017-009:

Moved: Councilmember-at-Large Whitcomb

Seconded: Councilmember Ward 4 Wade

A RESOLUTION ADOPTING A SECTION 504 GRIEVANCE PROCEDURE

WHEREAS, the New York State Office of Community Renewal recently audited the City for compliance with Community Development Block Grant regulations; and

WHEREAS said audit identified a concern, which is considered a potential problem that may result in a finding against the City of Canandaigua, if it is not addressed and corrected; and

WHEREAS, the concern was that the City did not have an established Section 504 grievance procedure; and

WHEREAS, Section 504 of the Rehabilitation Act of 1973 provides for nondiscrimination in all programs, services and activities receiving federal financial assistance; and

WHEREAS, federal regulations require the adoption (24 CFR 8.53), notice (24 CFR 8.54) and publication (28 CFR 35.107(b)) of a grievance procedure for complaints related to Section 504 of the Rehabilitation Act of 1973;

NOW, THEREFORE, BE IT RESOLVED by the Canandaigua City Council that the attached "Section 504 Grievance Procedure" shall be effective immediately.

The motion CARRIED UNANIMOUSLY on the following vote:

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

NOES: None.

Resolution #2017-010:

Moved: Councilmember-at-Large Terwilliger

Seconded: Councilmember-at-Large Whitcomb

A RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF STATE

WHEREAS, the City of Canandaigua in partnership with the Canandaigua Lake Watershed Council submitted a NYS Consolidated Funding Application in 2015 for the Comprehensive Strategy to Promote and Protect Canandaigua Lake Project; and

WHEREAS, the grant application was successful and the City and Watershed Council were awarded \$643,000 to implement a variety of projects including aquatic invasive species management, aquatic plant inventory of the lake, road bank and culvert replacement projects in various towns that have been hard hit by the storms of 2015, land use code updates to protect water quality, GIS datasets and technology updates, water trail access improvements, and the Sucker Brook Stormwater Improvement Project; and

WHEREAS, the New York State Department of State is the granting administrator for New York State and has sent a draft contract for authorization; and

WHEREAS, the Watershed Program Manager has reviewed the contract and is satisfied that it meets the intent of the grant application and is recommending contract approval; and

WHEREAS, the Finance/Budget Committee reviewed and approved the grant at its January 31, 2017 meeting;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the City Manager is hereby authorized to sign the Comprehensive Strategy to Promote and Protect Canandaigua Lake Project Phase II contract with New York State.

The motion CARRIED UNANIMOUSLY on the following vote:

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

NOES: None.

Resolution #2017-011:

Moved: Councilmember-at-Large O'Brien

Seconded: Councilmember Ward 4 Wade

A RESOLUTION APPROPRIATING FUNDING FOR THE HURLEY BUILDING NETWORK CONNECTION PROJECT

WHEREAS, the Hurley Building connects to the City's network via a radio connection with City Hall/Police Station which is in need of replacement or upgrade to a fiber connection; and

WHEREAS, the 2016 Capital Budget included funding to replace the radio at the Hurly Building as quotes for a fiber connection were cost prohibitive; and

WHEREAS, the project was delayed due to the delay in the Hurley Building Renovation Project and funding was also included in the 2017 Capital Budget (\$70,000); and

WHEREAS, during this delay the City received updated quotes to upgrade the connection to a fiber connection, with the lowest quote received from Finger Lakes Technologies Group, making the upgrade to fiber less costly; and

WHEREAS, staff recommended canceling the capital project in favor of the fiber connection which requires an appropriation of \$29,297 from the Technology Fund for the upfront costs associated with the fiber connection; and

WHEREAS, the Finance/Budget Committee reviewed and approved the recommendation at its January 31, 2017 meeting;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby appropriates \$29,297 from the Technology Fund for the purpose of upgrading the network connection at the Hurley Building and hereby authorizes that said funds be transferred to the appropriate budget account, as determined by the City Clerk/Treasurer.

The motion CARRIED UNANIMOUSLY on the following vote:

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

NOES: None.

Resolution #2017-012:

Moved: Councilmember Ward 4 Wade
Seconded: Councilmember Ward 3 White

A RESOLUTION AMENDING THE 2017 CAPITAL BUDGET

WHEREAS, the 2017 Adopted Capital Budget included \$70,000 to replace the radio connection at the Hurley Building; and

WHEREAS, this project was canceled in favor of a more cost effective and upgraded connection via fiber; and

WHEREAS, the 2017 Adopted Capital Budget also included \$150,000 to replace a loader utilized by the Department of Public Works, but the NYS Contract price ultimately was \$172,603; and

WHEREAS, staff recommended that City Council repurpose the \$22,603 from the aforementioned radio project to provide sufficient funds for the loader replacement and said recommendation was reviewed and approved by the Finance/Budget Committee at its January 31, 2017 meeting;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby repurposes \$22,603 within the 2017 Capital Budget from the Hurley Building Network Connection (Radio) Project for the replacement of a loader.

The motion CARRIED UNANIMOUSLY on the following vote:

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

NOES: None.

Resolution #2017-013:

Moved: Councilmember Ward 3 White
Seconded: Councilmember Ward 2 Twitchell

A RESOLUTION AMENDING THE 2017 WATER FUND CAPITAL BUDGET

WHEREAS, the City of Canandaigua, as a part of its on-going maintenance of the water treatment plant, wishes to refurbish one of the plants high lift pumps and raw water pumps and the 2017 Water Fund Capital Budget included \$49,250 for this purpose; and

WHEREAS, the lowest bid for the required work for the raw water pump was for a total of \$51,439 which was awarded by City Council via Resolution #2017-001 and the lowest bid received for the high lift pump was \$7,653; and

WHEREAS, the adopted City of Canandaigua 2017 budget water fund capital budget also includes \$620,000 for the installation of an alternative chlorine system, which is now projected to cost sufficiently less than this amount and it is recommended that in addition to the \$2,189 previously transferred from this project (Resolution #2017-001) that an additional \$7,653 needed to fully fund the pump refurbishment work be transferred; and

WHEREAS, the Finance/Budget Committee reviewed and approved said recommendation at its January 31, 2017 meeting;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the transfer of \$7,653 from the alternative chlorine system project to the pump refurbishment project to complete the necessary pump refurbishments.

The motion CARRIED UNANIMOUSLY on the following vote:

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

NOES: None.

Resolution #2017-014:

Moved: Councilmember Ward 4 Wade

Seconded: Councilmember Ward 1 Cutri

A RESOLUTION ESTABLISHING RECREATION SUPERVISOR POSITION

WHEREAS, Katie Outhouse, has had a dual role as Confidential Secretary to the City Manager and Recreation Supervisor for many years and has announced her intention to retire this year; and

WHEREAS, in preparation for the staff transition Ontario County Department of Human Resources reviewed her position and determined that the position must be split into two separate positions; and

WHEREAS, the City Council must adopt a resolution to establish a Recreation Supervisor position per requirements of the Ontario County Department of Human Resources; and

WHEREAS, the Finance/Budget Committee reviewed and endorsed the establishment of said position at its January 31, 2017 meeting;

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby establishes the position of Recreation Supervisor.

The motion CARRIED UNANIMOUSLY on the following vote:

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

NOES: None.

Ordinances: None

Local Laws: None

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

- Save money in the budget when replacing long term positions.
- The first economic development meeting will be on February 24th. There has been a good response so far from the community.
- Met with Lauren Kolb, President of Chamber of Commerce and Denise Chaapel, BID Manager, to discuss each of the perspective roles of how we can work together.

Appointments: None

Miscellaneous:

- Councilmember Ward 3 White informed residents of the Ontario Arts Council exhibit at FLCC.
- Councilmember-at-Large Whitcomb and Councilmember-at-Large Martin attended the landlord meeting to discuss rental registration and the nuisance ordinance.
- Councilmember Ward 1 Cutri reminded everyone about the speaker event at Wood Library on Water Quality of the Finger Lakes.
- Councilmember-at-Large Martin reminded residents that there is no hunting at Atwater Park.
- Mayor Polimeni mentioned a program “Thinking Differently” which she will be bringing to Council next month. This is to promote awareness and acceptance of individuals with special needs. Mayor Polimeni has also been approached by residents wondering if we should be a sanctuary city, which also deals with needs of people and being inclusive. All of these issues tie into something that we as a Council, should get a better understanding of, as it concerns the Canandaigua Community. Mayor Polimeni proposed that over the next couple of months we dedicate Thursday nights as a public conversation and get people together in the various wards.

Executive Session:

Councilmember-at-Large Whitcomb moved to close the regular meeting to go into Executive Session at 8:16 PM to discuss employment history of a particular person and contract negotiations. Councilmember-at-Large Martin seconded the motion.

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

Regular Session:

Councilmember-at-Large Whitcomb moved to close the executive session and return to the regular meeting at 8:26 PM. Councilmember Ward 2 Twitchell seconded the motion.

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

Adjournment

Councilmember-at-Large Whitcomb moved to adjourn the regular session at 8:26 PM. Councilmember Ward 2 Twitchell seconded the motion.

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

Nancy C. Abdallah, Clerk Treasurer
City of Canandaigua

APPENDIX A
ENVIRONMENTAL/PARKS
Tuesday, January 10, 2017
7:00 p.m.
Hurley Building Conference Room

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

Other Council Members: Mayor Ellen Polimeni, Cindy Wade, Karen White

Staff: Ted Andrzejewski; John Goodwin

1. Pro Snow Campaign

Lindsey Halvorson spoke to the Committee regarding the I Am Pro Snow 100% Committed Campaign. In summary, the program is a commitment to achieve 100% renewable electricity by 2030. Attached to the agenda is a program pamphlet. The city's solar project will result in a renewable energy source for 94% of electricity for City facilities and 82% of the total electric usage when street lights are included. Lindsey Halvorson will be at the meeting to make a brief presentation.

Committee indicated general support but also would like more detailed information regarding the specifics of the proposed partnership. Lindsey indicated that she would forward their draft agreement for review by city staff.

2. Special Event - Downtown Canandaigua Fire & Ice Winter Festival

Last year the City Council approved the Downtown Canandaigua Fire & Ice Winter Festival at its February 4, 2016 meeting via Resolution #2016-005. The BID would like to add additional/different activities that require City Council approval. The additional/different activities that need to be approved by Council include ice bowling (with fencing to restrict access- beginning on Thursday before) or turkey bowling, FLCC Woodsmen team Fire Building competition, fire pits, broom ball, LED fire light show. Denise Chaapel was present and answered any questions.

Motion to approve the event with the new requested changes made by Matt Martin, 2nd by Anita Twitchell. Vote 3-0

3. Lakefront Park Parking Space Lease – L.L. Bean

L.L. Bean would like to renew the revocable license agreement with the City to reserve 4 parking spaces for their trailer in Lakefront Park by the outlet which stores kayaks, paddle boards and associated equipment for their Outdoor Discovery School. The fee is proposed to remain the same as last year at \$4/day/parking space for any day outside of Labor Day and Memorial Day and \$8/day/parking space for any day between Memorial Day and Labor Day. The total cost to L.L. Bean for the Revocable License Agreement is \$4,048.00. Discussion regarding increasing the rate to \$5/day/space and \$10/day/space

Motion to approve as proposed made by Matt Martin, 2nd by Anita Twitchell. Vote 2-1

Staff will speak with LL Bean about proposed increase and report back.

4. Professional Services Agreement – Ontario County Soil and Water Conservation District

The agreement between the City and Soil and Water has expired and needs to be renewed. When necessary and requested, Soil and Water provides professional service to review storm water management plans for larger development projects if necessary. The fees are then charged back to the developer. A copy of the proposed contract is attached to the agenda.

Motion to approve made by Anita Twitchell, 2nd by Matt Martin. Vote 3-0

Motion for executive session to discuss employment history of particular person made by Matt Martin, 2nd by Anita Twitchell. Vote 3-0 Motion to adjourn at 8:45 made by Ellen Polimeni, 2nd by Matt Martin. Vote 5-0

APPENDIX B
ORDINANCE COMMITTEE
Tuesday, January 17, 2017
7:00 p.m.
Hurley Building Conference Room

1. Billboards

At the Planning/Development Committee meeting, Lamar Advertising Company presented a proposal to lease a portion of Lagoon Park for the installation of two digital billboards to face Eastern Blvd (5&20). The Committee raised questions about how the zoning ordinance will be changed and referred the item to the Ordinance Committee.

2. Section 504 (ADA Compliance)

The City was recently audited regarding its New York State Community Development Block Grant (CDBG) project to make improvements to the 42 dwelling units at 120 North Main Street (Thompson Apartments) which was completed in 2013. The audit report found that the City has not established specific grievance procedures for Section 504 related complaints. Section 504 of the Rehabilitation Act of 1973 provides that no qualified individual shall, solely by reason of his/her handicap, be excluded from program participation, including employment, be denied program benefits, or be subjected to discrimination. The regulations of the CDBG program (24CFR8.53 and 24CFR8.54) require adoption and notice of grievance procedures for municipalities with 15 or more employees. As such, attached to the agenda is a Section 504 Grievance Procedure for the Committee's review and consideration.

3. Executive Session – Legal Update

The City Attorney will provide an update to City Council on legal matters.

APPENDIX C
FINANCE/BUDGET COMMITTEE
Tuesday, January 31, 2017
7:00 p.m.
Hurley Building Conference Room

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

Other Council members: Ellen Polimeni; David Whitcomb; Nick Cutri

Staff: Ted Andrzejewski, John Goodwin, Jim Sprague

1. Canandaigua Lake Watershed Council Grant Project

In 2015 the City Council authorized, via Resolution #2015-060 the submission of a NYS Consolidated Funding Application for the Comprehensive Strategy to Promote and Protect Canandaigua Lake Project. The grant application was successful and the City and Watershed Council were awarded \$643,000 to implement a variety of projects including aquatic invasive species management, aquatic plant inventory of the lake, road bank and culvert replacement projects in various towns that have been hard hit by the storms of 2015, land use code updates to protect water quality, GIS datasets and technology updates, water trail access improvements, and the Sucker Brook Stormwater Improvement Project. New York State requires that the City Council adopt a resolution authorizing the City Manager to execute the grant agreement. Note that the City's Capital Budget and Plan has \$116,670 in 2017 and \$58,335 in 2018 for the City's portion of the local match related to this project. City staff recommends accepting the grant and authorizing the grant agreement.

John Goodwin reviewed the item with the Committee. The City's local match in cash contribution is \$175,000 (included in the Adopted Capital Budget and Plan) which will go toward the purchase of land and construction of a storm water detention area to reduce flooding in the City and improve water quality.

Motion made by Robert O'Brien, 2nd by Cindy Wade. Approved 4-0 vote. Resolution for Thursday, Feb 2nd.

2. Hurley Building Network Connection

The 2016 Capital Budget included funds to upgrade the radio connection between the Police Station and the Hurley Building. The radio provides the data transfer to connect the Hurley Building to the City's network housed at the Police Station. By way of background, prior to pursuing the radio upgrade project, the City obtained quotes for a fiber connection. The quotes were cost prohibitive due to the large upfront costs to connect to a fiber network combined with a large monthly fee to maintain the connection. The radio upgrade project was not completed due to the delay in the Hurley Building Renovation Project. As such funds not expending on the project in 2016 and funding for this project was also included in 2017 Capital Budget (\$70,000). The City recently received updated quotes for connecting the facilities via a fiber connection. An updated quote received from Finger Lakes Technologies Group was significantly lowered, which made the fiber connection less costly than a radio upgrade. The quote entails an upfront cost of \$29,297 to connect the City's facilities to the fiber network which provides the City fiber access for ten years. There is also a \$300 per month fee for the 120 month period which includes internet access. This monthly fee is budget neutral. As the project is no longer a capital expense, City staff recommends appropriating \$29,297 from the Technology Fund for this purpose and authorizing the City Manager to execute a 10 year agreement with Finger Lakes Technologies Group.

APPENDIX C (Continued)
FINANCE/BUDGET COMMITTEE
Tuesday, January 31, 2017

John Goodwin reviewed the item with the Committee. The City needs to upgrade the existing network connection between City Hall/Police Station and the Hurley Building. The change in funding from the Capital Fund to the Technology Fund is necessary as the project ceases to be a capital project that will result in a physical asset. The change will also result in a net positive in terms of the total funds spent to complete the project.

Motion made by Robert O'Brien, 2nd by Karen White. Approved 4-0 vote. Resolution for Thursday, Feb 2nd.

3. Capital Budget Amendment – Loader

The 2017 Capital Budget includes \$150,000 for the purchase of a loader to replace a 1997 loader. The cost on the NYS Contract is actually \$172,603. City staff recommends transferring \$22,603 from the aforementioned radio project to provide sufficient funds for the loader replacement.

John Goodwin and Jim Sprague reviewed the item with the Committee. The cost of the loader exceeded staff's estimated cost that was put into the Capital Plan several years ago. A major cost driver for large equipment such as the loader is new emissions standards. Staff plans to review the Capital Plan in more detail to ensure that the estimated costs and escalation of costs for 2018 and future years are still accurate.

Motion made by Cindy Wade, 2nd Robert O'Brien. Approved 4-0 vote. Resolution for Thursday, Feb 2nd.

4. Water Fund Capital Budget Amendment – High Lift Pump Rebuild

The 2017 Capital Budget included \$49,250 to refurbish and rebuild of Raw Water Pump #3 and High Lift Pump #4. The BID to refurbish and rebuild of Raw Water Pump #3 was \$51,439. City Council awarded this BID at its January 5, 2017 meeting via Resolution #2017-001 and transferred \$2,189 from another Water Fund Capital Project: the installation of an alternative chlorine system (budgeted for \$620,000) which is expected to be lower than originally anticipated. This has left the planned refurbish and rebuild of High Lift Pump #4 unfunded. A recent BID for this project was received at a total cost of \$7,653. Staff recommends that the Committee approve the transfer for \$7,653 from the alternative chlorine system project for the completion of the High Lift Pump project. This will result in the alternative chlorine system project having a total of \$610,158 budgeted; however, the updated costs estimates received from the engineering firm designing the project are significantly lower.

Motion made by Cindy Wade, 2nd by Robert O'Brien. Approved 4-0 vote. Resolution for Thursday, Feb 2nd.

5. Civil Service – Establishing Position - Recreation Supervisor

Currently, the City's recreation programs are administered by Katie Outhouse. Katie has been a dedicated City employee for 23+ years and will be retiring. Katie has had a dual role as Confidential Secretary to the City Manager and Recreation Supervisor for many years. Upon review of the position, Civil Service determined that the position should be broken up into two separate positions. As such the City must create a Recreation Supervisor position. As Katie's primary duties have been recreation program related, staff recommends creating this position and not filling the Confidential Secretary to the City Manager position. The administrative duties that Katie completed in the City Manager's office will be performed by the City Manager and Assistant City Manager.

APPENDIX C (Continued)
FINANCE/BUDGET COMMITTEE
Tuesday, January 31, 2017

Ted Andrzejewski reviewed the item with the Committee. Councilmembers present raised concern about creating the position and having the person complete some administrative duties. John Goodwin and Ted explained that the administrative duties performed currently are minimal and that the wide majority of duties performed are recreation program related. There was a discussion about the possibility of having a part-time administrative assistant in the City Manager's Office or increasing a current part-time position to full-time. Ted said that the position and needs of the office will be evaluated going forward, but that it was critical that the recreation program duties continue and the position be created to ensure that the person will be able to work alongside Katie a the permitted two weeks allowed by Civil Service.

Motion made by Karen White, 2nd by Cindy Wade. Approved 4-0 vote. Resolution for Thursday, Feb 2nd.

6. General Discussion – Budget Items

Jim Terwilliger stated that the Committee would be reviewing budget items throughout the year again. There are several items that are identified during budget season that Councilmembers requested be discussed at length. Jim asked that City Councilmembers review the list and list by priority and get back to him. He also stated that if there are other items that anyone wishes to add that they should include it with the priority listing. The items include:

- Regional Fire Service
- Fee Schedule
- Occupancy Tax
- Economic Development
- Water and Sewer Rate Structure

7. Executive Session

The Committee moved into executive session to discuss the employment history of particular employees.

APPENDIX D
CANANDAIGUA CHARTER COMMITTEE REVIEW
Wednesday, January 11, 2017
6:00 p.m.
Hurley Building Conference Room

Members Present: Paul Bringewatt, Chair; Thomas Lyon, Vice-Chair; John Goodwin, Secretary; Jim Irwin; David Whitcomb; Bob Palumbo (arrived at 6:30 PM); Matt Martin

Members Absent: Nick Cutri; Jack Chambers; Karen White; Jadon Hoffman

Advisors Present: Michele Smith

Guests:

1. Approval of Minutes from December 14, 2016 meeting

- a. Motion made by David Whitcomb, 2nd Thomas Lyon. Approved 6-0

2. Administrative Information

- a. None

3. General Discussion of the Proposed Charter

- a. The Commission reviewed of the draft Charter and all proposed changes section by section.
- b. The changes to the definitions of Employee and Officer were clarified.
- c. *The Commission voted to change #6 in the list of events that would result in a vacancy or removal of office. A 2/3 majority of the total members of City Council is required to approve the resolution. The proposed language is as follows: A resolution approved by a two-thirds majority of the total membership of the City Council that a violation of the City Code of Ethics and/or Prohibitions*
- d. *The Commission voted to remove the last sentence of the §3.5 Councilmember; compensation which was language moved from §3.8. The change was for consistency with current practice and so that any changes to the compensation of the Mayor and councilmembers are done through the annual budget. The removed language: Any increase in compensation shall become effective upon the commencement of the term of Mayor elected at the next general election.*
- e. The Commission discussed and clarified the prohibition of §3.3 Prohibitions (c).
- f. The Commission discussed whether or not the qualifications of the City Manager should be more defined.
- g. *The Commission voted to add abolished to the last sentence in §8.4 Bureaus. It now reads: Bureaus may be added, consolidated, abolished or re-aligned by the City Council to provide for the fulfillment of department duties and responsibilities.*
- h. *The Commission voted to change the title of §15.6 from False Reports, etc. to False Reports and Ethics Violations.*

APPENDIX D (Continued)
CANANDAIGUA CHARTER COMMITTEE REVIEW
Wednesday, January 11, 2017

4. Review Meeting Schedule

- a. The January 25, 2017 meeting has been canceled.**
- b.** A sub-committee consisting of Paul Bringewatt, Chair; Thomas Lyon, Vice-Chair; John Goodwin and Michele Smith will work together to prepare referendum questions, change explanations and final language changes for the Commissions review at its February 15, 2017 meeting.

5. Other

6. Adjourn

- a.** Meeting adjourned at 7:29 PM

APPENDIX E
PLANNED UNIT DEVELOPMENT
Thursday, January 26, 2017
7:00 p.m.
Hurley Building Conference Room

Committee: David Whitcomb, Chairman
Ellen Polimeni, Mayor
Nick Cutri
Anita Twitchell
Karen White
Robert O'Brien
James Terwilliger
Matt Martin
Cindy Wade

Staff: Ted Andrzejewski; John Goodwin, Michele Smith

1. ***Canandaigua Finger Lakes Resort***

The developer of the Canandaigua Finger Lakes Resort (former Steamboat landing) has requested to meet with the Planned Unit Development (PUD) Committee to present potential changes to the permitted use of the property.

Introduction of the topic by City Manager – he was approached by David Genecco who indicated that he may have a new idea for the hotel site and a potential new partner, Dave Pelusio.

Dave Pelusio then spoke and clarified that he has been working as a consultant for the property owners and is here in that capacity. Haycreek (original hotel partner) had put together a financing package for the hotel, but the property owner has been unable to obtain the financing because of the seasonal nature of the area. No local bank, institution or business (has approached approximately 10) have been willing to provide the financing either.

He believes that if the project is converted to residential-apartments (80-100) the financing would be more favorable as it could be sustained with year-round income. No change to the structure, parking or surrounding area. Also, possibly increase docks for renters use. Would continue to operate the conference center, restaurant, and spa.

Change the plans for the second, third and fourth floor to match the 5th floor layout. Has letters of intent for financing in his possession and could start May 1st, if the Council allows it to be converted to apartments.

Opened for questions from the Council. Current equity in property is assessed at 18-20 million. They don't need additional equity to obtain financing for apartments.

Michele Smith clarified that the review process will take 6 months at the earliest, if a full SEQRA is not required, most likely longer. Mr. Pelusio stated that if it takes that long then he won't be able to proceed because he is holding the banks off now. If the developer wants to argue that this is a small change to the final plan then he needs to make an application to the Planning Commission. When the Commission denies the application as inconsistent, the property owner will need to then submit a new application to the City Council to change the zoning to allow this residential use.

NO ACTION – ADJOURN at 8:20