

MINUTES OF THE SPECIAL CANANDAIGUA CITY
COUNCIL MEETING
TUESDAY, JUNE 21, 2016 7:00 P.M.
Hurley Building, Saltonstall St.
City Website: canandaiguanewyork.gov

Mayor Polimeni called the meeting to order at 8:00 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 Matt Martin
Councilmember-at-Large James Terwilliger
Councilmember-at-Large David Whitcomb
Mayor Ellen Polimeni

Members Absent: Councilmember Ward 2 Anita Twitchell
Councilmember-at-Large Robert O'Brien

Also Present: Corporation Counsel Michele O. Smith
Assistant City Manager John D. Goodwin

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

Resolutions:

Resolution #2016-047:

Moved: Councilmember-at-Large Martin
Seconded: Councilmember Ward 1 Cutri

**A RESOLUTION AUTHORIZING A TEMPORARY LAND USE IN THE LAKEFRONT
REDEVELOPMENT P.U.D. ZONE TO ALLOW THE RETAIL SALE OF "SPARKLERS"**

WHEREAS, pursuant to Resolution 2009-181 (Amended) the Canandaigua Lakefront Redevelopment Project area, now known as "Pinnacle North", was designated a Planned Unit Development (P.U.D.) Zone; and

WHEREAS, designation as a P.U.D. Zone places the Project area under the discretion and control of the Canandaigua City Council regarding property development and land use; and

WHEREAS, the property owners desire to make use of the property prior to obtaining site plan approval for the sale of "sparkler" as authorized by New York State Law §392-j; and

WHEREAS, the City Council is agreeable to such temporary uses that serve the area and the property's redevelopment;

NOW, THEREFORE, BE IT RESOLVED that the Canandaigua City Council finds that the granting of such a temporary use is consistent with the Project's sketch plan approval; and

BE IT FURTHER RESOLVED that the property owners of Parkway Plaza, located in the PUD may temporarily use the designated out-parcels for the location of a tent for the sale of sparklers in accordance with New York State laws, and as discussed by the Ordinance Committee on June 21, 2016. Such use may continue for the periods authorized in NYS Executive Law §156-h for a temporary seasonal retailer through January 2, 2017. Placement of said tent and applicable signage must otherwise be in accordance with New York State Laws and the laws of the City of Canandaigua; and

BE IT FURTHER RESOLVED that this Resolution shall have no impact on previous authorizing resolutions applicable to this Project.

The motion FAILED on the following vote:

AYES: Councilmember-at-Large Whitcomb

NOES: Council Member Ward 1 Cutri, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Martin, Councilmember-at-Large Terwilliger, and Mayor Polimeni.

Resolution #2016-048:

Moved: Councilmember Ward 1 Cutri

Seconded: Councilmember Ward 3 White

**A RESOLUTION AUTHORIZING TENT AND SPECIAL EVENTS
AT THE MUAR HOUSE**

WHEREAS, by Resolution #2016-004 the City entered into a lease agreement with Twisted Rail Brewing Company for use of the Muar House; and

WHEREAS, in accordance with the lease, no alterations or improvements can be made to the structure without written approval of the City Council; and

WHEREAS, Twisted Rail Brewing Company has requested that City Council approve the use of a tent at the property for up to four (4) special events/promotions per year; and

WHEREAS the New York State Liquor Authority also requires landlord authorization for special events; and

WHEREAS the Ordinance/Charter Review Committee reviewed and approved the request at its June 21, 2016 meeting;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the Twisted Rail Brewing Company is authorized to host up to four (4) special events per year on the Muar House property and may install a temporary tent for such events in the area between Lakeshore Drive and the structure provided that all necessary permits are obtained; and

BE IT FURTHER RESOLVED the City Manager is authorized to sign the Landlord Authorization Form on behalf of the City of Canandaigua for Twisted Rail's Special Event Permit Application to the New York State Liquor Authority.

Motion:

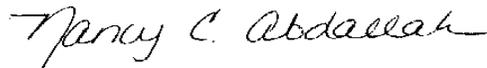
Councilmember-at-Large Whitcomb moved to table this Resolution. Councilmember Ward 4 Wade seconded the motion.

Vote Result: Carried unanimously by voice vote. (7-0)

Adjournment

Councilmember Ward 1 Cutri moved to adjourn the special session at 8:53 PM. Councilmember Ward 3 White seconded the motion.

Vote Result: Carried unanimously by voice vote (7-0).



Nancy C. Abdallah, Clerk Treasurer
City of Canandaigua