

**Auburn City Council
Regular Meeting
Thursday, December 3, 2015 6:00PM
City Council Chambers
Memorial City Hall
24 South St.
Auburn, NY 13021**

Minutes

The meeting of the Auburn City Council was called to order at 6:00PM in the City Council Chambers 24 South St. Auburn NY by Mayor Quill.

1. Roll Call – The City Clerk called the roll. Councilors McCormick, Camardo, Cuddy, and Ruzicka, and Mayor Quill were all present.

The following City Staff was present:

- City Manager, Doug Selby
- Corporation Counsel, John Rossi
- City Clerk, Charles Mason
- Director of Planning and Economic Development, Jennifer Haines
- Superintendent of Engineering, William Lupien
- Director of Capital Improvement Program and Grants, Christina Selvek
- Senior Planner, Steve Selvek

2. Pledge of Allegiance to the Flag – Mayor Quill led the Pledge of Allegiance.

3. Moment of Silent Prayer or Reflection – Mayor Quill asked for a moment of silent prayer.

4. Public Announcements –

The City Clerk read the following announcements:

A. The City of Auburn will be holding a public meeting for the Community Development Block Grant five year strategic plan. Residents may help shape the future of our community by attending the 2016-2017 Community Development Block Grant Program PUBLIC HEARING to be held on December 8, 2015, 10:00AM-12:00 Noon. This meeting will be held at Memorial City Hall, Council Chambers, 24 South Street, Auburn, NY 13021.

5. Ceremonial Presentations and Proclamations

The City Clerk read the following Proclamation from the Office of Mayor Michael D. Quill:

WHEREAS, in the summer of 2005 a group of volunteers with creative minds and a vision for a community performing arts center in downtown Auburn came together to embark on establishing their vision in our City's center; and

WHEREAS, on December 7th, 2005 the Auburn Public Theater initially opened its doors to more than 500 community members for a free night of music and exploring in a former department store space designated to become a center for our community's performing arts; and,

WHEREAS, over the beginning years the project began to build enthusiasm in our City not only for its own mission but by providing the spark for a revival of the greater downtown area; and,

WHEREAS, over the years the theater has grown to offer four distinct arts program spaces, including:

- The Auburn Public Theater's Main Stage which seats 200, contains a raised stage with professional lighting and sound systems and dressing rooms;
- The Auburn Public Cinema which features a 65 seat movie theater with HD projection and 7.1-channel surround sound;
- The Auburn Public Studio which features 1,500-square-foot studio space utilized cooperatively by various artistic programs; and,
- The Auburn Public Theater's Stage Right space features bistro seating for up to 100 people, a raised stage with lighting and sound, a serving bar and catering facilities; and,

WHEREAS, over the years the growth of the project has established the Auburn Public Theater as an employer of seven full-time and over a dozen part-time job positions; and,

WHEREAS, the theater has established itself as the hub of performing arts in our downtown providing annually over 250 concerts, plays, movie screenings, comedians and more, attracting thousands of visitors annually to our downtown; and,

WHEREAS, continuously throughout its first decade of existence the theater's persistence and steady growth has served as the catalyst for what has become known as a renaissance for our City's downtown;

NOW THEREFORE, I, Michael D. Quill, Mayor of the City of Auburn, New York, on behalf of the members of City Council, encourage all citizens of Auburn to celebrate this significant achievement upon the 10th anniversary of the Auburn Public Theater's establishment, and, do hereby PROCLAIM the 7th day of December, 2015, as
AUBURN PUBLIC THEATER DAY
in the City of Auburn, New York.

The Mayor presented a copy of the proclamation to Angela Daddabbo, Brian Anderson and Meghan Clary, all representing the Auburn Public Theater. The three addressed the Council to thank them for the recognition and they invited the public to the December 7, 2015 open House at the Auburn Public Theater.

6. Public to be Heard – Mayor Quill opened the Public to be Heard portion of the Council meeting and the Clerk read the Public to be Heard rules.

William Lupien, Lake Avenue

Mr. Lupien is the Superintendent of Engineering for the City of Auburn and addressed

the Council on matters pertaining to the City Management Ordinance that the Council will consider updating.

Tim Donovan, Van Dyne Avenue

Mr. Donovan announced that there will be a community drive to collect winter coats, hats, gloves and scarves for those in need the week of December 7-14, 2015. Donations may be dropped off at the Auburn Public Theater, 8 Exchange Street in Downtown Auburn.

7. Approval of Meeting Minutes:

A. November 24, 2015, City Council meeting minutes.

Motion to approve by Councilor McCormick, seconded by Councilor Cuddy.

The motion to approve the minutes of November 24, 2015 carried 5-0. Councilors McCormick, Camardo, Cuddy, Ruzicka and Mayor Quill all voting aye.

8. Reports of City Officials

A. City Manager's Report

- The City will begin making improvements to City owned land on Washington Street known as the Dunn & McCarthy site next week.
- The City Wastewater Treatment Facility has switched its power source to New York State Electric and Gas (NYSEG). This will allow for power generated at the City's Landfill Gas to Electricity Cogeneration Station (Co-Gen) to be sold on the New England Market.

B. Reports from members of Council

- Council McCormick reported on meetings she attended during the week pertaining the Owasco Lake Watershed Management Plan and stated the plan and an accompanying survey may be found at the Cayuga County Planning Department's website; and, on December 4, 2015 the RSVP volunteer knitters will be at Genesee Street Elementary School to give the knitted goods they have created this past year away to the students of the school.
- Councilor Cuddy reported there are two surveys currently listed on the City's website homepage. One survey for the 2016-2017 Community Development Block Grant program, the second for the Parks Master Planning process.
- Mayor Quill reported he was called earlier in the day by Congressman Katko's office and notified that the funding for the Central New York Regional Transportation Authority (CENTRO) had been restored by the Congress and the U. S. Senate as part of the Fixing America's Surface Transportation (FAST) Act, National Highway Transportation Bill.

9. Matters to Come Before Council

A. State Environmental Quality Review Act Resolutions (SEQR)-None

B. Ordinances - • Ordinance #7 of 2015 Amending the Zoning Map of the City of Auburn

Motion to approve by Councilor Cuddy, seconded by Councilor McCormick.

WHEREAS, Chapter 305 of the Auburn Code, entitled Zoning, has been adopted by the Auburn City Council; and

WHEREAS, Article XIII, entitled Zoning Map, §305-94, entitled Purpose, states that this article was intended to establish zoning districts created by this chapter on a map of the City of Auburn to be known as the “Zoning Map of the City of Auburn”; and

WHEREAS, the zoning districts are established pursuant to §305, and districts are defined and enumerated; and

WHEREAS, ESBD Property, LLC owns a parcel of real property situated at 50-60 Wallace Avenue in the City of Auburn, New York; and

WHEREAS, 50-60 Wallace Avenue is in an I: General Industrial zone and the current residential use portion of said properties is a pre-existing, non-conformity within the zone; and

WHEREAS, the petitioner requests that the Council amend the Zoning Map of the City of Auburn such that a portion of 50-60 Wallace Avenue, as shown on attached Exhibit A2, be rezoned R-2: Single-, Two-, and Multiple-Family Residential; and

WHEREAS, said review of the above action has been made in full compliance with Article 8 of the New York Conservation Law and the New York State Environmental Quality Review Act (SEQRA), and the City of Auburn Planning Board, acting as Lead Agency in said SEQRA review, has determined to prepare a Negative Declaration under SEQRA for the proposed action.

NOW THEREFORE BE IT ORDAINED that the City Council of the City of Auburn, New York does hereby amend the Zoning Map of the City of Auburn whereby a portion of the lands situated at 50-60 Wallace Avenue and shown on “Exhibit A2,” which is attached hereto and made part thereof, shall be classified as R-2: Single-, Two-, and Multiple-Family Residential rather than I: General Industrial, in order that these lands be consistent with the present and historical use and the residential zoning of the adjacent area.

The motion to approve carried 5-0. Councilors McCormick, Camardo, Cuddy, Ruzicka and Mayor Quill all voting aye.

C. Local Laws – None

D. Resolutions

D1. Agreement Resolution #132 of 2015 Approving an Agreement for Municipal Solid Waste – The Mayor announced that Agreement Resolution #132 of 2015 had been pulled from the agenda.

D2. Council Resolution #133 of 2015 Adopting a Title VI Plan and Nondiscrimination Agreement for the City of Auburn

Motion to approve by Councilor Ruzicka, seconded by Councilor Cuddy.

WHEREAS, The City of Auburn is a recipient of funding assistance from federal and state agencies and therefore is subject to the requirements and provisions of Title VI of the Civil Rights Act of 1964 (“the Act”), as amended, as well as the various Federal Laws and Executive Orders that expand the Title VI nondiscrimination regulations; and

WHEREAS, the Act provides that “No person in the United States shall, on the grounds of race, color, national origin, age, disability, gender or income, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance”; and

WHEREAS, the Civil Rights Restoration Act of 1987 broadened the scope of Title VI to expand the definitions of terms “programs or activities” to include all programs or activities administered by an agency if any part of that agency received Federal financial assistance; and WHEREAS, the City of Auburn has prepared a Title VI Plan and Nondiscrimination Agreement in accordance with the aforesaid regulations; and WHEREAS, the Title VI Plan and Nondiscrimination Agreement has been reviewed by the NYS Department of Transportation, City staff and with the City of Auburn Human Rights Commission.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUBURN, NEW YORK:

1. That the City of Auburn hereby adopts the Title VI Plan and Nondiscrimination Agreement attached herewith and made a part of this resolution; and
2. That the City Manager Douglas A. Selby is hereby appointed as the Title VI Coordinator for the City of Auburn and is authorized to execute the Title VI Plan and requirements therein; and
3. That a copy of the Title VI Plan and Complaint Form will be made available on the City website and on file with the City Human Rights Commission; and
4. That this resolution shall take effect immediately upon its adoption.

The motion to approve carried 5-0. Councilors McCormick, Camardo, Cuddy, Ruzicka and Mayor Quill all voting aye.

E. Tabled Legislation – None

F. Staff/Vendor Presentations

F1. Presentation on Sewer Credits for Pool Owners by Vicky Murphy, Director of Municipal Utilities

10. Other Business

Councilor Camardo discussed topics pertaining to the City Landfill. He stated that he would like information on when the current landfill cell was built and the life expectancy of the cell; he would like to know what the breakeven point is for the City to accept a ton of trash at the landfill; he wants the justification behind why the City would allow a high-volume contractor that does not pay taxes in the City to dump at the landfill for a lower rate per ton; he wants to know what the City’s long-term plan is for the landfill; and, he wants to know how the City will generate methane gas at the landfill if we close the landfill.

Councilor Ruzicka stated that he believes there needs to be discussion on a long-term plan for the landfill.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:35 p.m.

Auburn City Council Minutes December 3, 2015

Minutes submitted to the City Council on December 4, 2015 by:

Charles Mason
City Clerk

On December 10, 2015 a motion to approve the minutes of the December 3, 2015 Auburn, NY City Council meeting was made by Councilor McCormick, seconded by Councilor Cuddy.

	Ayes	Noes
Councilor McCormick	x	
Councilor Camardo	x	
Councilor Cuddy	x	
Councilor Ruzicka	x	
Mayor Quill	x	
Carried and Adopted	x	

I do hereby certify that the foregoing is a correct copy of the minutes of the proceedings of the City Council of the City of Auburn, N.Y., at a regular meeting thereof, held in the Council Chambers, Memorial City Hall, in said city, on the 3rd day of December, 2015 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: December 4, 2015