

Auburn City Council
Regular Meeting
Thursday, November 2, 2017 6:00 P.M.
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 Councilor McCormick.

1. Roll Call – The City Clerk called the roll. Councilors McCormick, Giannettino, Cuddy, Carabajal were all present. Mayor Quill was excused.

The following City Staff was present for the regular meeting:

- City Manager, Jeff Dygert
- Corporation Counsel, Stacy DeForrest
- City Clerk, Charles Mason
- Comptroller, Laura Wills
- Director of Planning and Economic Development, Jennifer Haines
- Superintendent of Engineering, William Lupien
- Police Chief, Shawn Butler

2. Pledge of Allegiance to the Flag – Councilor McCormick led the Pledge of Allegiance.

3. Moment of Silent Prayer or Reflection – Councilor McCormick asked for a moment of silent prayer.

4. Public Announcements –

5. Ceremonial Presentations and Proclamations

City Manager Jeff Dygert, Mayor Quill and the members of City Council recognized the staff of the City of Auburn Water Filtration Plant for their tireless efforts over the past year to execute all of the behind the scenes work that has gone in to keeping our drinking water safe during the algal bloom season of 2017. The installation of the power activated carbon treatment system at the Owasco Lake pump station was a project that was executed within an extremely rapid timeline and was ready prior to the seasonal algal bloom outbreaks. The operation of the new system over the past 90 days required around the clock efforts and our staff went above and beyond the call of duty to make the project a success. Director of Municipal Utilities Seth Jensen was on hand to introduce the staff members that include:

John West – Chief Operator

Sam Granato – Operator
Timothy Herbert – Operator
Michael Szakalski – Operator
Jeff DeCaro – Operator
Brian Polcovich – Water Maintenance Mechanic
Timothy Clark – Building Maintenance Mechanic
Tom Gabak – Sewer and Water Supervisor

We thank them for all of their diligent service to keep our drinking water and operations safe.

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.

The following members of the public spoke:

Tim Lattimore, 63 South Street. Mr. Lattimore is the Cayuga County Legislator for district 13 and he spoke pertaining to issues of the Owasco lake Watershed.

Karen Walter, 15 Case Avenue and 3 Elizabeth Street. Ms. Walter spoke regarding the City Zoning Ordinance and the previous time that the ordinance was updated in the early 1990's.

Alyssa Lawton, 66 Standard Avenue and 17 Case Avenue. Ms. Lawton spoke regarding the 75% draft of the update to the City Zoning Code. She discussed the notification requirements for projects that will go before the City planning board and zoning board of appeals.

Rick Tamburino, Mr. Tamburino is a member of the City Zoning Board of Appeals. He discussed the update to the City Zoning Ordinance.

Rick Steele, Park Outdoor Advertising. Mr. Steele discussed how the proposed update to the Zoning Code will impact Park Outdoor Advertising's billboard business. He has sent a packet of information to the Council in writing and he provided a synopsis of his written comments to make changes to the proposed update so that the company's existing billboards will be protected.

Jerry Wiggins, Seneca Parkway. Mr. Wiggins discussed the new Equal Rights Heritage Center and some ideas he has for parking and green space on the site.

Brett Tracy, 20 Nelson Street. Mr. Tracy discussed a new program the City announced with Homesite to handle older rental properties in the City. He had several questions about the new program. The Mayor noted that the manager was taking notes and would look into the answers to his questions.

The Mayor also opened PUBLIC HEARING FOR THE DRAFT AND FINAL VERSIONS OF THE CITY OF AUBURN CODE SECTION 305 ENTITLED "ZONING".

Cynthia Aikman, 17 Liberty Street. Ms. Aikman spoke to discuss sections she has reviewed that are too restrictive. She asked if the Zoning Board has been consulted to address some of the most frequent topics that come before that board. Section 305-12 has missing information in the table. Section 305 Food Trucks, she asked if this language will prevent ice cream trucks from operating in the city. Section 305-45 Storage of Outdoor Materials, she asked how does this impact residents that own a licenced motor home. Section 305-48 pertaining to short term housing rentals, she believes there is a market fix to this issue and that this chapter is not needed. Section 305-54 Tiny Houses. She discussed these types of home and requested a lower minimum for the size of homes, also requested provisions for non-profits being owners of such homes. She would like to see allowing single tiny houses rather than mandating clusters of such houses. She finished with discussing condominiums and that there should be a definition for them.

Trista O'Hara, 12 North Park, Board Member of Chapel House. Chapel House has proposal before City Manager and Council for the construction of a tiny home. The proposed zoning update would prevent Chapel House's proposal. She would like to request that the Chapel House proposal be grandfathered in if the existing language is maintained.

Karen Walter, 15 Case Avenue and 3 Elizabeth Street. Ms. Walter spoke regarding the process used so far to compile the draft revision. She is concerned that many of the labels used to advertised previous meetings did not truly convey that there was a zoning code update underway. She requested that there be two more public hearings, an updated zoning map needs to be publicized, residents need to be given longer than 5 days for meeting notifications, she would like to see residents notified that are within 500 feet of a proposed project, and she discussed the planning board and attendance of planning board members.

Alyssa Lawton, 66 Standard Avenue and 17 Case Avenue. Ms. Lawton spoke regarding public notification of project applications to go before the planning board and the changes to notification that have been proposed.

Jerry Wiggins, Seneca Parkway. Mr. Wiggins discussed the draft of the Zoning Code update including various edits that he found are needed and definitions that he believes are missing. He later emailed the following comments for inclusion in the record: The first definition in question is "Agricultural Processing Plant": on the second line the words "conversation or" should be "conversion of". Next is the definition for "Lot Width": it only describes the width of the lot at or near the front of the property line, perhaps this is intentional. Shouldn't there be a reference for the width at the rear of the lot? Also, "Principal Building Use": refers to "Building, Principle", spelling different (le for al). "Restaurant, Fast Food": refers to a fast food restaurant without a drive through(kind of rare), wouldn't it be clearer to have a definition for a fast food restaurant with or without a drive through, rather than list it under "Drive Through Establishment"? Also please consider adding definitions for what are now becoming more common and popular items such as: Gazebo, Swing set, Doghouse, Playhouse, etc. In addition, there is a chart on page 109 of the draft, Section J, Dimensional Standards: Under the column for "Detached House" the Primary Street front setback is shown as 10 feet maximum. Is this intended to "grandfather in" existing homes? If it is meant for new homes, isn't this too close to the street, or is it a distance from the sidewalk? Thank You for considering my suggestions. I am only concerned with saving printing/reprinting costs, and accuracy/clarity in the final draft.

John Shaw, 36 Alden Avenue. Mr. Shaw spoke regarding large construction equipment that gets stored in residential areas. He emailed the following comments to the Mayor and Council to follow up on his remarks: Thank you for listening to my concerns at the public hearing for the Proposed City Code revision this past Thursday November 2nd. This is a follow up to the points I made at that time. I reside at 36 Alden Ave. This is the very end of a dead end street. All properties and adjacent properties discussed in this e-mail are zoned R1.

As stated at the meeting I have the following concerns:

- Storage of large commercial/construction/landscaping/snow removal equipment in plain view from neighbors' property
- The use of machinery by owner causing prolonged periods when the reverse gear safety feature of the equipment used is activated (the "beep-beep-beep" sound)
- At will delivery and pickup of construction equipment via cut thru from end of Alden Ave to the west side lawn of Linn Ave where the equipment is delivered/stored

While I respect any property owners desire to improve and maintain their property, I do not feel this type visual and auditory intrusion is appropriate in an R1 neighborhood.

I have attached Section 305-45 OUTDOOR STORAGE OF MATERIALS and EQUIPMENT. I believe this is the most pertinent section that addresses my concerns. In the attachment I have included my comments in italics).

7. Approval of Meeting Minutes

October 19, 2017 Council Meeting Minutes

Motion to approve the October 19, 2017 minutes by Councilor Carabajal, seconded by Councilor McCormick. Motion to approve carried 5-0.

8. Reports of City Officials

A. City Manager's Report

- The Genesee St paving project will be going out to bid on Monday. The bid documents will be available through the city webpage as well as the Engineering Office. The project will include milling and resurfacing the entire west end of Genesee St from downtown all the way to the city line. The project will be funded with 80% federal and 15% state funds leaving a local share of 5%. This work should start in the spring once the winter weather breaks.
- The City's Community Tree Planting Day will be this Saturday November 4. Anyone interested in taking part should meet at the parking lot on North Division St. across from Casey Park at 8am.
- Work on the Schine Theater is slated to begin on Monday. This first phase will include asbestos remediation and will require the sidewalk in front of the theater to be closed off. Pedestrians will be directed to use the sidewalks across the street while the work is completed.
- At next week's City Council meeting staff from the Planning Department will be present to answer questions and collect input from the City Council related to the proposed Zoning Code update. Council's input next week will allow the project to stay on schedule and reach completion by the December 31st deadline necessary to be eligible for funding reimbursement.

B. Reports from members of Council

Councilor Giannettino reported on the recent meeting he attended of the Owasco Watershed Lake Association (OWLA). He also reported on attending Mr. Moskov's 11th grade class at Auburn High School to discuss local government issues.

Councilor Carabajal reported on the grand opening of the new café at the New Hope Mills factory on York Street. Also, she reported on a meeting that she had along with Councilor McCormick with some Blueprint II students.

Mayor Quill reported on a meeting that he attended with Councilor McCormick and Police Chief Shawn Butler in which it was announced that local resident, nine-year-old Finn Bell had saved his money over the past year and donated the funds to purchase a new star for the City Christmas tree. Mr. Bell has been invited to be the mayor's guest at the Christmas Tree lighting ceremony to be held on November 25, 2017.

9. Matters to Come Before Council

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

B. Ordinances – None

C. Local Laws - None

D. Resolutions –

COUNCIL RESOLUTION #158 of 2017

**ACCEPTING THE AUDIT REPORT FOR
THE YEAR ENDED JUNE 30, 2017**

By Councilor Carabajal

November 2, 2017

WHEREAS, the City of Auburn is required by State and Federal government regulations to conduct an audit of its finances annually and the firm of Insero & Co. CPAs, LLP was engaged to conduct an audit for the fiscal year ended June 30, 2017; and

WHEREAS, the audit firm issued a report and provided basic financial statements as well as a report on internal controls and compliance in accordance with government auditing standards; and

WHEREAS, the audit firm has provided a letter on required communications to the City Council which sets forth significant accounting policies, accounting estimates, audit adjustments, consultations and issues discussed prior to retention of independent auditors; and

WHEREAS, the audit firm presented its finding to the Auburn City Council by means of a presentation at the Council meeting on October 26, 2017 and it is now necessary that the Council accept the audit report.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby accept the City of Auburn, New York Audit Report for the year ending June 30, 2017 prepared by Insero & Co. CPAs, LLP in compliance with all governmental regulations.

Seconded by Councilor McCormick

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	

Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

COUNCIL RESOLUTION #159 OF 2017

ADOPTING A CITY OF AUBURN PROCUREMENT AND SURPLUS POLICY

By Councilor McCormick

November 2, 2017

WHEREAS, the City of Auburn adopted a procurement policy on January 5, 2017, regulating the requirements for competitive bidding and public service contracts to be consistent with New York State law in order that taxpayers may receive the best value for City procured goods and services; and

WHEREAS, the policy requires updates to ensure that the procedures to procure items through a sole source, professional services and energy performance contracts are clear and, also, to establish a surplus policy; and

WHEREAS, the City Comptroller and the City Corporation Counsel’s Office have reviewed the current City of Auburn Procurement Policy and have determined that the policy is compliant with all of the provisions of the New York General Municipal Law; and

WHEREAS, it is necessary that the City of Auburn formally adopt the updated procurement and surplus policy.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby adopts the procurement and surplus policy.

Seconded by Councilor Cuddy

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	

Carried and Adopted	X	
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COUNCIL RESOLUTION #160 OF 2017
ADOPTING THE FY 2018-2022
CAPITAL IMPROVEMENT PROGRAM (CIP)

By Councilor Cuddy

November 2, 2017

WHEREAS, the City of Auburn, New York is authorized and empowered under the New York General Municipal Law- Article 5- §99-G to “undertake the planning and execution of a capital program”; and

WHEREAS, the Auburn City Council desires to implement a Capital Improvement Program (CIP) to provide for the maintenance and improvement of public infrastructure in support of the City’s vision and goals outlined in the City Comprehensive Plan and other adopted planning documents; and

WHEREAS, the Auburn City Council finds that it is in the best interest of the City to adopt and approve the Capital Improvement Program for Fiscal Years 2018 through 2022 to ensure that the City achieves its desired outcomes for a prosperous and sustainable community.

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

1. That the City hereby adopts and enacts the FY 2018 through 2022 Capital Improvement Program; and
2. That this Resolution shall take effect immediately upon its adoption.

Seconded by Councilor McCormick

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	

Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

COUNCIL RESOLUTION #161 OF 2017

**AUTHORIZING TO CHANGE A COUNCIL MEETING DATE DUE TO THE
THANKSGIVING HOLIDAY**

By Councilor McCormick

November 2, 2017

WHEREAS, the rules of the Auburn City Council and City Charter require that the Auburn City Council meet on Thursday of each week to conduct business; and

WHEREAS, a meeting scheduled for the fourth Thursday in November, namely November 23rd, is Thanksgiving; and

WHEREAS, in the interest of the citizens of the City of Auburn and convenience of all parties, the Auburn City Council desires to reschedule the meeting for the fourth Thursday of November 2017 from Thursday, November 23rd to Tuesday, November 21st, said meeting to be held at the usual time of 6:00 PM; and

WHEREAS, the subsequent meetings of the City Council shall return to the Thursday of each week thereafter at its usual time of 6:00 PM.

NOW, THEREFORE, BE IT RESOLVED, that the Auburn City Council does hereby move the Auburn City Council meeting scheduled for Thursday, November 23rd at 6:00 PM to Tuesday, November 21st at 6:00 PM, and that all subsequent meetings thereafter shall be on Thursday of each week unless modified by subsequent Council resolution, and the Clerk is hereby requested to notify the public of the change in the meeting date as set forth herein.

Seconded by Councilor Carabajal

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	X	
Mayor Quill	X	
Carried and Adopted	X	

E. Staff/Vendor Presentations – None

F. Tabled Items – None

10. Other Business

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:38 p.m.

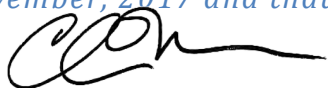
Minutes submitted to the City Council on November 16, 2017 by:

Charles Mason
City Clerk

On November 16, 2017 a motion to approve the minutes of the November 2, 2017 Auburn, NY City Council meeting was made by Councilor McCormick, seconded by Councilor Giannettino.

	Ayes	Noes
Councilor McCormick	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Carabajal	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 2nd day of November, 2017 and that the City Council approved such by the vote listed above.



Charles Mason, City Clerk *Date:*