

**Auburn City Council
Regular Meeting
Thursday, March 22, 2018 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 Mayor Quill.

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

The following City Staff was present for the regular meeting:

- City Manager, Jeff Dygert
- Corporation Counsel, Stacy DeForrest
- City Clerk, Charles Mason
- Director of Capital Projects and Grants, Christina Selvek
- Director of Municipal Utilities, Seth Jensen
- Police Chief, Shawn Butler
- Director of Planning and Economic Development, Jennifer Haines

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 – none

5. Ceremonial Presentations and Proclamations –

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.

Valerie Rivett, spoke to request that the City review the smoke alarm ordinance to require photoelectric smoke alarms be installed in housing throughout the City.

Notice is hereby given that the Auburn City Council has called a Public Hearing to be held on Thursday, March 22, 2018 beginning at 6:00 p.m. for the purpose of collecting citizen input concerning the City of Auburn's 2017 - 2018 Community Development Block Grant Action Plan Amendments. Mayor Quill opened the public hearing and stated the hearing would be held open through the meeting. No members of the public spoke.

7. Approval of Meeting Minutes

March 8, 2018 Council Meeting Minutes

Motion to approve the March 8, 2018 minutes by Councilor Giannettino, seconded by Councilor Carabajal. Motion to approve carried 4-0.

8. Reports of City Officials

A. City Manager's Report

- The McIntosh Dr. culvert replacement project is wrapping up. Paving is planned for next week and the road is expected to be reopened by the end of the month.
- Once McIntosh Dr. reopens work will shift to the culvert on Schwartz Dr. That road will be closed in the beginning of April to allow the work to be performed and is anticipated to reopen near the end of July. Updates on these projects will be posted to the city webpage soon.
- The intersection of Prospect St and Franklin St will be closed and impassable from Monday April 2 through Thursday April 5 while the water department replaces a water main and associated valves. Local water service will be interrupted on Prospect St between Boyle Ave and Franklin St, and on Franklin St between Prospect St and North Marvine Ave on Monday April 2 from 11am to 3pm. More detailed information is posted to the city webpage.
- Next week signs will start to be installed on Genesee St related to work zones. Drivers will also see some test excavations along Genesee St. and traffic may be slightly impacted while that work is being completed. As the work schedule develops we will update the city webpage.
- We have received over thirty resumes for our open Comptroller position. Tomorrow staff will meet to discuss the interview process and we should be scheduling some interviews for next week or the following week.
- Last night the United Way of Cayuga County held their annual meeting. The City of Auburn was awarded the United Way's Silver Award for increasing our contribution by more than 25% compared to the previous year. We'd like to thank Rhonda Miller, Secretary to Mayor Quill; and Shelly Lowe, the City Manager's Secretary for organizing this year's City of Auburn United Way campaign; and we also thank our employees who generously support the local agencies through the United Way.

B. Reports from members of Council –

- Mayor Quill reported on his recent trip to Washington DC with City Planning Department staff. The purpose of the trip was to meet with officials of the U. S. Department of Housing and Urban Development to discuss the future of the City of Auburn's Community Development Block Grant Funds. He thanked the City

Planning Department staff that traveled with him for their great work and representation of the City.

- Mayor Quill reported that on Tuesday, March 20th he traveled with the City Clerk to Syracuse for a meeting with Syracuse's new Mayor Ben Walsh. They discussed matters of regional importance and ideas for how Central NY Cities can work together to move issues of mutual concern forward.

9. Matters to Come Before Council

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

B. Ordinances -

The City Clerk presented the following Bond Ordinance #3 of 2018 for a first reading.

BOND ORDINANCE #3 OF 2018

AUTHORIZING THE ISSUANCE OF \$1,200,000 SERIAL BONDS TO FINANCE THE COSTS OF THE 2018-19 ROAD IMPROVEMENT PROGRAM, THE PURCHASE OF EQUIPMENT FOR THE PUBLIC WORKS DEPARTMENT AND CITY BUILDING AND GROUNDS IMPROVEMENTS

BE IT ORDAINED by Council of the City of Auburn, New York as follows:

Section 1. The City is hereby authorized to undertake the various capital projects described below at an aggregate estimated maximum cost of \$1,200,000, the estimated maximum cost of each Project being as follows:

(a) 2018-19 Road Improvement Program. The reconstruction and resurfacing of various City streets and roads, including sidewalks, curbs, gutters, drainage, landscaping, grading or improving the rights of way, with a pavement which will be more durable construction than pavement of sand and gravel, water-bound macadam or penetration process with single-surface treatment at an estimated maximum cost of \$400,000 and to issue an aggregate \$400,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose.

(b) Equipment for Public Works Department. The purchase of equipment to be used for constructing, reconstructing, repairing or maintaining City improvements, the cost of which is \$30,000 or more, including but not limited to two small plow trucks, a bucket truck, an electric forklift, and a truck with a lift for the City Department of Public Works at an estimated maximum cost of \$380,000 and to issue an aggregate \$380,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose.

(c) City Buildings and Grounds Improvements. The renovation or reconstruction of various city owned buildings, whether or not including grading or improvement of the sites, original furnishings, equipment, machinery or apparatus required for the purposes for which such buildings are to be used at an estimated maximum cost of \$420,000 and to

issue an aggregate \$420,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific objects or purposes is \$1,200,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$1,200,000 in serial bonds (the "Bonds") of the City authorized to be issued pursuant to this Ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes pursuant to paragraph 4 of Section 11.00(a) of the Local Finance Law are as follows:

<u>Section 1 Subparagraph</u>	<u>Period of Probable Usefulness (Years)</u>	<u>Local Finance Law Section 11.00(a) Paragraph</u>
(a) 2018-19 Road Improvement Program	15	20(c)
(b) Equipment for Public Works Department	15	28
(c) City Buildings and Grounds Improvements	25	12(a)(1)

Section 4. Pursuant to Section 107.00(d)(9) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this Ordinance.

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the City, payable as to both principal and interest by a general tax upon all the real property within the City without legal or constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this Ordinance and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of the

Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to issue bonds providing for level or substantially level or declining annual debt service, is hereby delegated to the City Comptroller, the Chief Fiscal Officer of the City.

Section 8. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this Ordinance shall be from the City's General Fund. It is intended that the City shall then reimburse such expenditures with the proceeds of the Bonds and bond anticipation notes authorized by this Ordinance and that the interest payable on the Bonds and any bond anticipation notes issued in anticipation of the Bonds shall be excludable from gross income for federal income tax purposes. This Ordinance is intended to constitute the declaration of the City's "official intent" to reimburse the expenditures authorized by this Ordinance with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Treasury Regulation Section 1.150-2. Other than as specified in this Ordinance, no moneys are reasonably expected to be received, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. The serial bonds and bond anticipation notes authorized to be issued by this Ordinance are hereby authorized to be consolidated, at the option of the City's Comptroller, the Chief Fiscal Officer, with the serial bonds and bond anticipation notes authorized by other Bond Ordinances previously or hereafter adopted by the City Council for purposes of sale in to one or more bond or note issues aggregating an amount not to exceed the amount authorized in such ordinances. All matters regarding the sale of the bonds, including the date of the bonds, the consolidation of the serial bonds and the bond anticipation notes with other issues of the City and the serial maturities of the bonds are hereby delegated to the City Comptroller, the Chief Fiscal Officer of the City.

Section 10. The validity of the Bonds authorized by this Ordinance and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of this Ordinance or a summary hereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 11. The City Comptroller, as Chief Fiscal Officer of the City, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring

the City to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12.

Section 12. This Ordinance, or a summary of this Ordinance, shall be published in the official newspapers of the City for such purpose, together with a notice of the Clerk of the City in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. This Ordinance is not subject to a mandatory or permissive referendum.

Section 14. The Council hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this Ordinance.

Section 15. This Ordinance shall take effect immediately upon its adoption.

C. Local Laws - None

D. Resolutions – None

E. Staff/Vendor Presentations –

- Capital Improvement Project for Bond Ordinance #3 Discussion - Christina Selvek, Director of Capital Improvement Projects and Grants
- 2018-19 Road Program Presentation - Scott McIntyre, Engineering Department

- OWLA Request for NYS Funding - Dana Hall (Presenter), Rick Nelson and Peter Rogers
- 2017-18 Community Development Block Grant (CDBG) Program Amendment - Jennifer Haines, Director, Office of Planning and Economic Development
- Sensus Analytics Metering System - Customer Portal Online Account Management - Seth Jensen, Director of Municipal Utilities
- Monthly Budget Reports and Activity Report Presentation by City Manager Jeff Dygert

F. Tabled Items – None

10. Other Business

Executive Session. Councilor McCormick made a motion to enter Executive Session, seconded by Councilor Cuddy. Council voted to enter an executive session regarding the following matters:

One matter pertaining to collective bargaining negotiations.

Two separate matters regarding the sale, lease or acquisition of real property.

One matter made confidential by Federal or State law. (Section 4503 of the Civil Practice Law and Rules which establishes that a confidential communication between attorney and client shall be privileged. Pursuant to this section, Council will be

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receiving legal advice from its attorney which fulfills the requirement provided in Section 108(3) of the Public Officers Law allowing this exemption.)

The motion to enter executive session carried 5-0. The Council entered Executive Session at 7:49 p.m. Executive session adjourned at 8:58 p.m.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 8:59 p.m.

Minutes submitted to the City Council on April 5, 2018 by:

Charles Mason

City Clerk

On April 5, 2018 a motion to approve the minutes of the March 22, 2018 Auburn, NY City Council meeting was made by Councilor Cuddy, seconded by Councilor Carbajal.

	Ayes	Noes
Councilor McCormick	Abstain	
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 22nd day of March, 2018 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: April 6, 2018