

**Auburn City Council
Regular Meeting
Thursday, May 17, 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 McCormick, Giannettino and Carabajal were all present. Councilor Cuddy arrived at 6:06 p.m.

The following City Staff was present for the regular meeting:

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

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 –

5A. Ceremonial Pinning of New Firefighters Robert C. Gage and Theodore Alnutt Jr.

5B. The City Clerk read the National Preservation Month Proclamation from the Office of Mayor Quill. The Mayor presented the proclamation to Art Price and Kathleen Walsh Infanti from the Community Preservation Committee. Christina Selvek, Director of Capital Projects and Grants followed with an awards presentation on behalf of the City of Auburn's Historic Resources Review Board.

WHEREAS, historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, walks of life and ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as people; and

WHEREAS, in 1966 President Lyndon Johnson signed the National Historic Preservation Act (NHPA) into law and formally recognized historic preservation as an important policy of the United States.; and

WHEREAS, since 1966, 19 local landmarks have been established in the City of Auburn, New York; and

WHEREAS, in 1991 the Auburn, New York South Street Area Historic District was listed on the National Register of Historic Places; and

WHEREAS, in March of 2017 the Harriet Tubman National Park was established; and

WHEREAS, in May of 2018 the Auburn City Council is honoring the Willard Memorial Chapel for its continued stewardship in preserving, restoring, and maintaining the chapel complex; and

WHEREAS, **National Preservation Month** and the launch of the “This Place Matters” campaign are celebrated annually to highlight the work the Auburn community is doing to enrich and preserve the places that make our City unique.

NOW THEREFORE, I, Michael D. Quill, Mayor of the City of Auburn, New York, do hereby proclaim the month of May 2018 as

National Preservation Month

And call upon the people of the City of Auburn to join their fellow citizens across the United States in recognizing and participating in this special observance.

In witness whereof I have
hereunto set my hand and
caused the seal of the City of
Auburn, NY to be fixed this
Seventeenth day of May, 2018.

Michael D. Quill, Mayor
City of Auburn, New York

5C. The City Clerk read the National Police Week Proclamation from the Office of Mayor Quill. The Mayor presented the proclamation to Shawn Butler, Chief of Police.

Whereas, in 1962 President John F. Kennedy proclaimed May 15th as National Peace Officers Memorial Day and the calendar week in which May 15th falls, as National Police Week; and

Whereas, Established by a joint resolution of Congress in 1962, National Police Week pay special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others ; and

Whereas, the International Association of the Chiefs of Police has declared law enforcement officer safety and wellness a top priority, and the IACP's Center for Officer Safety and Wellness promotes the importance of individual, agency, family, and community safety and wellness awareness; and

Whereas, the members of law enforcement agency in the City of Auburn play an essential role in safeguarding the rights and freedoms of the citizens of Auburn, N.Y.; and

Whereas, the City of Auburn Police Department has grown to be a modern and scientific law enforcement agency which unceasingly provides a vital public service; and

Now, therefore, be it resolved that, I, Michael D. Quill, Mayor of the City of Auburn, on behalf of the members of City Council, call upon all citizens of the City of Auburn and upon all patriotic, civil and educational organizations to observe the week of May 13th through May 19th, 2018, as Police Week, and I further call upon all citizens of the City of Auburn to honor those peace officers who, through their courageous deeds, have lost their lives or have become disabled in the performance of duty, and hereby proclaim of City Council and the community of Auburn, New York hereby proclaim that May 13th through May 19th, 2018, be recognized as

National Police Week

and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

In witness whereof I have hereunto set my hand and caused the seal of the City of Auburn to be affixed this Seventeenth day of May 2018.

Michael D. Quill, Mayor
City of Auburn, New York

6. Public to be Heard –

Mayor Quill opened the special Public to be Heard portion of the meeting regarding topics associated with the City's 2018 Downtown Revitalization Initiative Grant Application which is due to be submitted to the Central New York Regional Council on June 1, 2018. The following people spoke:

Toni Colella, resident of the Town of Owasco. Auburn-born Theodore Case created the phenomenon called sound-on-film — talking movies, the invention that forever changed news, education and entertainment around the world.

Yet, last month, after I spoke about Mr. Case at the Syracuse University alumni breakfast, the audience questioned: Why doesn't Auburn promote Theodore Case?

Auburn, let's give Mr. Case a spotlight in our next economic development plan!

Of course it is right to honor Harriet Tubman, William H. Seward and leaders of Woman's Suffrage in our new Equal Rights Heritage Center. Like most of us, I live my personal and professional life based on the ideology of equal rights, two words that will draw crowds of people to our city. But, in this age of political polarization, these same words, equal rights, will repel others.

Auburn's winning plan must have "Top-Billing Diversity."

Yesterday I Googled top tourist sites in Cooperstown, New York, and learned there are 36 things to do in Cooperstown. I was mainly interested in the top two tourist sites.

No. 1 of 36 things to do in Cooperstown is, no surprise, the National Baseball Hall of Fame and Museum. The second top tourist site in Cooperstown is an entirely different entity. No. 2 is the Glimmerglass Opera Festival. Now when I visited these sites, rarely did I see a baseball cap at the Glimmerglass or an opera cap among the baseball fans. Cooperstown is an example of Top-Billing Diversity!

Bringing this home ... let's make Auburn, New York, a destination city for two Top Billings: for its equal rights history and for being — the one and only — The Birthplace of Talking Movies. And doesn't everyone love movies? The opportunities to promote this Auburn history is mind boggling!

Let's win this round of the \$10 million dollar New York state economic challenge with a proposal that says Auburn, New York, offers Top-Billing Diversity: a history of equal rights and a history of the only place on the planet where talking movies was created!

Tim Lattimore, County Legislator, District 13. Mr. Lattimore stated he would submit ideas for energy projects in the downtown area.

Pete Cramer and Erin Humphrey. Respresenting Auburn Permaculture park. Spoke to address the Owasco River area of the downtown. They believe proper planning of the plantings into the landscape could provide seasonal changes to the landscape that could be incorporated and become focal points to the downtown landscape. There could be public events planned around the seasonal changes in the landscape. They shared pictures of many examples of what they were discussing featuring examples from other parts of the country and from Japan.

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

Tim Lattimore, County Legislator for District 13. Mr. Lattimore spoke regarding the shared services discussions happening among the City, County, Towns and Villages in Cayuga County.

7. Approval of Meeting Minutes

April 26, 2018 Council Meeting Minutes

Motion to approve the April 26, 2018 minutes by Councilor McCormick, seconded by Councilor Giannettino. Motion to approve carried 4-0. Councilor Cuddy voted present.

May 3, 2018 Council Meeting Minutes

Motion to approve the May 3, 2018 minutes by Councilor Giannettino, seconded by Councilor Carabajal. Motion to approve carried 5-0.

8. Reports of City Officials

A. City Manager's Report

- Today our Water and Sewer crews tackled a leak in the 24" line that carries raw water from Owasco Lake to our Water Filtration Plant. While they were prepared for the worst, they found a relatively easy to repair leak at a joint. The leak was quickly repaired and normal service was restored.
- The last section of precast culvert was installed at Schwartz Dr. today. The project still has a way to go but is running ahead of schedule.
- The second of the three rooms or structures that will make up the Equal Rights Heritage Center was poured this week. The building is taking shape and is currently also running on schedule.
- The Centro bus stop currently located on Lincoln St. near the parking garage will be moving soon. Centro and the City will be communicating the exact dates of the change in the near future to give the public ample time to adjust.
- Lincoln St. traffic flow will also be changing in the next few weeks to accommodate an expanded work zone for the Equal Rights Heritage Center as utility and grounds work expands out from the building footprint. These changes will be temporary and we will provide updates through numerous outlets as we get closer to the implementation dates.

B. Reports from members of Council –

- Councilor Giannettino reported on a recent visit he made to Mr. Moskov's class at Auburn High School in which they discussed matters pertaining to local government.
- Mayor Quill reported on his recent attendance at the New York Municipal Insurance Reciprocal's Board of Governor's (NYMIR) meeting. At the meeting the mayor was elected Vice President of the NYMIR Board.

9. Matters to Come Before Council

A. State Environmental Quality Review Act Resolutions (SEQR)

B. Ordinances

By Councilor Cuddy

May 17, 2018

BOND ORDINANCE # 5 OF 2018

BOND ORDINANCE OF THE CITY OF AUBURN, NEW YORK, AUTHORIZING THE ISSUANCE OF ADDITIONAL

SERIAL BONDS TO FINANCE THE COST OF THE
RECONSTRUCTION OF THE CITY WATER DISTRIBUTION
SYSTEM

WHEREAS, the Council of the City of Auburn, New York, on April 7, 2016 adopted Bond Ordinance No. 3 of 2016 entitled “BOND ORDINANCE OF THE CITY OF AUBURN, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,045,000 SERIAL BONDS TO FINANCE THE COST OF THE RECONSTRUCTION OF THE CITY WATER DISTRIBUTION SYSTEM”; and

WHEREAS, the Council of the City of Auburn, New York, on October 5, 2017 adopted Bond Ordinance No. 3 of 2017 entitled “BOND ORDINANCE OF THE CITY OF AUBURN, NEW YORK, AUTHORIZING THE ISSUANCE OF ADDITIONAL SERIAL BONDS TO FINANCE THE COST OF THE RECONSTRUCTION OF THE CITY WATER DISTRIBUTION SYSTEM”; and

WHEREAS, the City Council wishes to (i) authorize the expenditure and appropriation of additional funds in connection with the reconstruction of the City water distribution system, and (ii) authorize the issuance of additional serial bonds of the City to finance such additional appropriation;

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

Section 1. The City of Auburn, New York (the “City”) is hereby authorized to undertake the reconstruction of the City’s water distribution system, including the reconstruction and improvement of the existing water distribution main on NYS Route 34, including a portion of York Street, and the acquisition of replacement furnishings, equipment, machinery or apparatus required for the purposes for which such water distribution system are to be used at an estimated maximum cost of \$3,000,000, constituting an increase of \$800,000.

Section 2. The plan for financing of such new maximum authorized cost of \$3,000,000 shall be as follows:

(a) by the issuance of \$1,045,000 of serial bonds of the City hereto authorized to be issued pursuant to Bond Ordinance No. 3 of 2016 adopted by the City Council on April 7, 2016;

(b) by the issuance of \$1,155,000 serial bonds of the City hereto authorized to be issued pursuant Bond Ordinance No. 3 of 2017 adopted by the City Council on October 5, 2017; and

(c) by the issuance of an additional \$800,000 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 object or purpose is forty (40) years pursuant to paragraph 1 of Section 11.00(a) of the Local Finance Law; provided, however, that the maximum maturity of the Bonds shall be computed from the date of issuance of the Bonds or the first bond anticipation note issued in anticipation of the Bonds or the serial bonds or bond anticipation notes authorized pursuant to Bond Ordinance No. 3 of 2016 or Bond Ordinance No. 3 of 2017, whichever date is earlier.

Section 4. Pursuant to Section 107.00(d)(3)(a) 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 Water 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 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. Any federal or New York State grant funds obtained by the City for the capital purposes described in Section 1 of this Ordinance shall be applied to pay the principal of and interest on the Bonds or any bond anticipation notes issued in anticipation of the Bonds, the serial bonds or bond anticipation notes authorized pursuant to Bond Ordinance No. 3 of 2016 or pursuant to Bond Ordinance No. 3 of 2017, or to the extent obligations shall not have been issued under this Ordinance, Bond Ordinance No. 3 of 2016 or Bond Ordinance No. 3 of 2017, to reduce the maximum amount to be borrowed for such capital purposes. The City Comptroller, as Chief Fiscal Officer, is hereby authorized to determine the application of any such federal or New York State grant funds for any one or more of the foregoing purposes.

Section 11. The City Comptroller, as Chief Fiscal Officer of the City, is further authorized to sell all or a portion of the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, to the New York State Environmental Facilities Corporation (the "EFC") in the form prescribed in one or more loan and/or grant agreements (the "Agreements") between the City and the EFC; to execute and deliver on behalf of the City one or more Agreements, project financing agreements, and letters of intent with the EFC and to accept the definitive terms of one or more Agreements from EFC by executing and delivering one or more terms certificates; and to execute such other documents, and take such other actions, as are necessary or appropriate to obtain a loan or loans from the EFC for all or a portion of the costs of the expenditures authorized by this Ordinance, and perform the City's obligations under its Bonds or bond anticipation notes delivered to the EFC, the project financing agreements and the Agreements.

Section 12. 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 13. 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 United States Securities and Exchange Commission Rule 15c2-12.

Section 14. 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 15. This Ordinance is not subject to a mandatory or permissive referendum.

Section 16. 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 17. This Ordinance shall take effect immediately upon its adoption.

Seconded by Councilor McCormick

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

C. Local Laws - None

D. Resolutions –

E. Staff/Vendor Presentations –

F. Tabled Items – None

10. Other Business

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 7:51 p.m.

Minutes submitted to the City Council on June 7, 2018 by:

Charles Mason
City Clerk

On June 7, 2018 a motion to approve the minutes of the May 17, 2018 Auburn, NY City Council meeting was made by Councilor Giannettino, 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 | |

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 17th day of May, 2018 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: June 8, 2018