

AGENDA

REGULAR COUNCIL MEETING

CITY OF GENEVA, NEW YORK

May 3, 2023

**Public Safety Building
255 Exchange Street
Geneva, NY 14456**

COUNCIL MEETING STARTS AT 7:00PM

Listen to the City of Geneva's YouTube Channel:

[YouTube.com/cityofgenevany](https://www.youtube.com/cityofgenevany)

- I. CALL TO ORDER – Mayor, Steve Valentino
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. PUBLIC HEARING – Sale of 30 Castle Street
- V. PRESENTATION – Police Budget Advisory Board, Proactive Policing with a focus on Public Safety and the Elderly
- VI. DRI UPDATE
- VII. FOUNDRY UPDATE
- VIII. OVERVIEW OF STORM RESPONSE – Joe Venuti, Director of Public Works
- IX. CONSIDERATION OF MEETING MINUTES
This portion of the meeting is dedicated to correction of meeting minutes for the following Council session:
 - A. April 12, 2023 (Regular Council Meeting) {Page 3}
 - B. April 19, 2023 (Special Council Meeting) {Page 19}
- X. PUBLIC COMMENT
This portion of the meeting is dedicated to receiving comments from residents on any topics. The standard time limit for public comment is three (3) minutes; however, should you require additional time, please make your request to the Mayor (Presiding Officer) prior to the start of the meeting. As always, your comments are important to Council, and all resident attendees are invited to provide comments during this period.

XI. MOBILE FOOD ESTABLISHMENTS PUBLIC COMMENT

This portion of the meeting is dedicated to receiving comments from residents on the topic of mobile food establishments being allowed in the city. The standard time limit for public comment is three (3) minutes. As always, your comments are important to Council, and all attendees are invited to provide comments during this period.

XII. CITY MANAGER REPORT – *This portion of the meeting is dedicated to presentation of a report by the City Manager on non-action matters that have not been addressed elsewhere on the agenda.*

XIII. UNFINISHED BUSINESS

This portion of the meeting is dedicated to consideration of matters that have been previously considered by City Council. These include:

- A. Second Reading of an Ordinance Amending Chapter 215 Entitled “Licensing of Occupations” – Presented by City Manager Hendrix #4-2023 {Page 23}
- B. Second Reading of an Ordinance Amending Chapter 335-17 Entitled “Parking, Standing and Stopping Restrictions” of the City of Geneva Municipal Code – Presented by City Manager Hendrix #5-2023 {Page 27}
- C. Resolution Affecting Sale of City Property (30 Castle Street) – Presented by City Manager Hendrix #17-2023 {Page 29}

XIV. NEW BUSINESS

This portion of the meeting is dedicated to consideration of matters that have not been previously considered by City Council. These include:

- A. Resolution Retiring Police Officer Badge Number 839– Presented by City Manager Hendrix #18-2023 {Page 32}
- B. First Reading of an Ordinance Amending the City Code to Add Chapter 215 Entitled “Licensing of Mobile Food Establishments and Pushcarts” Presented by City Manager Hendrix #6-2023 {Page 33}
- C. Board/Commission Appointments {Page 47}

XV. MAYOR AND COUNCIL REPORTS

This portion of the meeting is dedicated to presentation of reports by the Mayor and City Councilors on non-action matters that have not been addressed elsewhere on the agenda

XVI. PUBLIC COMMENT

This portion of the meeting is dedicated to receiving comments from non-residents on any topics. The standard time limit for public comment is three (3) minutes; however, should you require additional time, please make your request to the Mayor (Presiding Officer) prior to the start of the meeting. As always, your comments are important to Council, and all attendees are invited to provide comments during this period.

XVII. ADJOURNMENT

THE GENEVA CITY COUNCIL

JOURNAL OF PROCEEDINGS

REGULAR COUNCIL MEETING

April 12, 2023 – 7:00 PM

Public Safety Building
255 Exchange Street
Geneva, NY 14456

Presiding – Steve Valentino, Mayor

1. ROLL CALL

Present: Clr. Regan, Clr. Gaglianese, Clr. Camera, Clr. Salamendra, Clr. Burrall, Clr. Pealer,
Clr. Noone, and Clr. Brimm

2. PROCLAMATIONS

- Larry Guerri
- Hobart College Hockey Team
- Coach Mark Taylor
- Will Czaplak
- 125th Anniversary - from Gov. Hochul
- Fair Housing Month

3. SUPERVISOR UPDATE

Supervisor Kennedy said he is still researching the strategic outlook for the post pandemic role of the county office buildings here in Geneva. He said that Workforce Development is having three workshops at the library: One-on-one Help with a Career Counselor, Wednesday April 12 from 3:30 to 4:30pm, Resume Glow-up, Wednesday April 19 from 3:30 to 4:30pm, and Get Ready to Interview, Wednesday April 26 from 3:30 to 4:30pm. He said that he, Supervisor Pruett and Supervisor Venuti continue to work on the County Parks and Recreation Master Plan. In June the Ontario County Planning Department and consulting engineers will be coming out to all of the municipalities to look for possible county parks.

Supervisor Kennedy said that the county is expecting to get opioid recovery funds, possibly in the millions of dollars along with guidelines for utilization. He will provide an update in the coming months. He announced that Victor Nelson and the Mount Olive Church were recognized for outreach during the pandemic to residents of color, and especially to residents in wards 5 and 6, to provide vaccinations and other health programs. Supervisor Kennedy said that due to outreach from a constituent in ward 2, the county has now adopted a resolution earlier this week in committee to go to the board next week to opt-in

to the State's Equitable Reverse Mortgage Assistance Program for seniors to keep them from losing their homes in foreclosure. He announced there will be a household hazardous waste day on April 22nd at the landfill. He noted that residents can drop off paints and paint thinners to Sherwin Williams at any time, up to five gallons per visit. Lastly, he said that the county is doing a request for proposals for a domestic terror prevention advisor. When asked if the new light at 5&20 and 247 would be on 24 hours a day and if it had a sensor, Supervisor Kennedy said he would need to look into that. He said he would look into Clr. Regan's request to bring an E-waste or hazardous waste event to our city. Clr. Camera added that the Salvation Army Store on 5 & 20 will take electronic waste. When asked if the parks and recreation plan was designed to establish new parks or if it was to enhance what we already have, Supervisor Kennedy said the county would maintain a designated county park, which Geneva currently does not have one. Clr. Gaglianese mentioned that our city is lacking handicap accessible equipment and playgrounds.

4. FOUNDRY UPDATE

Remedial Design

- Remedial design plans are in progress for 19 remaining properties located south of St. Peter's Church along Genesee, Geneva, and Tillman Streets. Meetings were held with owners of several of these properties to review remediation plans. The remaining meetings will be scheduled later this spring.

Remedial Construction

- Excavation of the block of six properties located along the west side of Genesee Street just south of Lewis Street resumed in mid-March. Excavation of this block is anticipated to be completed by mid-April, with restoration expected to be substantially completed before summer.
- Excavation of a block of nine properties located along the south side of Lewis Street, east side of Geneva Street, and north side of Tillman Street is anticipated to begin during the second week of April, with restoration expected to be substantially completed by mid-summer.
- Restoration activities at Genesee Park, including masonry activities and landscaping, are expected to resume this month and to be completed in late spring.
- Remediation of all other remaining residential properties is expected to be performed later in 2023. Remediation of the State Street staging area, located on the parcel just east of the railroad, is anticipated to be completed in 2024. Demobilization from the additional project staging area on Lehigh Street will also be completed in 2024.

5. CONSIDERATION OF MEETING MINUTES

ACTION TAKEN by Clr. Noone; seconded by Clr. Gaglianese

MOVED THAT the minutes of the March 1st Council Meeting be approved

MOTION CARRIED UNANIMOUSLY

ACTION TAKEN by Clr. Noone; seconded by Clr. Brimm

MOVED THAT the minutes of the March 22nd Council Meeting be approved

**ROLL CALL VOTE: Aye – Clr. Camera, Clr. Regan, Mayor Valentino, Clr. Gaglianese,
Clr. Burrall, Clr. Noone, and Clr. Brimm**

Abstain – Clr. Pealer and Clr. Salamendra

MOTION CARRIED

6. PUBLIC COMMENT

Pat Schiller congratulated council for a super meeting last month noting that they worked together, compromised, and shared opinions. She said that the mayor's dad had said it is not enough to be aware but to be involved. She thanked councilors for being involved

7. CITY MANAGER REPORT

STORM CLEAN UP

Our teams continue to respond to the damage caused by the storm last week. Castle Creek breached over the banks, running down Main Street causing significant impact in downtown. Many properties were impacted by this overflow, including the DRI area. The 5&20 DRI Green infrastructure was significantly compromised, both streetscape and 5&20. As a note, there were no improvements made to the water/waste water system through our DRI work. Two of our lift pumps at the Wastewater Treatment Plant failed during the event, causing overflow. The over flow was contained and DEC has been notified.

Our Fire Department responded to 70 calls since the beginning of the event through Thursday morning. We have heard from residents requesting support in mitigating the water in their own homes throughout the city. While we have a responsibility to support the infrastructure that the city is responsible for and will continue to look at ways to improve our response during weather events, we are unable to support recommendations on how to best mitigate storm impact on private residences. Thank you to our teams who responded during the storm, who have supported, and continue to support the clean-up efforts. We had over a dozen employees respond during the event as well as over 40 volunteer firefighters join in on the response. Thank you to all for the services they provide the city.

PARKS AND FIELDS MAINTENANCE

Our staff will be maintaining all fields within the next few weeks. All of our parks and grounds are saturated, very soft and may not support vehicles or equipment on them at this time (ours or outside contractors).

Here is the current 2023 plan for ball field maintenance:

- Brook St. and Jefferson St. - outfields will be rolled, soil will be applied to infield areas and dragged.
- Jefferson will remain grass except for the bases, mound and batter's box. We have soil available.

- Nieder will remain grass. We have an idea for long term solution for Nieder, that will include relocating the ballfield to the north west side of the park to get away from poor drainage concerns in its current location. A new backstop will be requested as part of the 2024 budget process.
- Clark St., Gulvin and Ridgewood - these infields need to be turned and dragged and the outfields need to be rolled. Ridgewood has been dragged.
- All the parks, are currently muddy and wet and will most likely remain so for the next couple of weeks.

The wear and tear of having multiple teams use the infields for practice during this wet season will also damage our city fields. We encourage teams using the fields to please attempt to use outfields and side lots at this time.

Planned park improvements for 2023 include:

- Freshening up the stone dust trails at all parks
- Freshening up the wood chip playground mulch for all parks,
- Replacing the wood benches at Clark St.
- Restoring the basketball court surfaces at Nieder and Richards
- Installation of pickleball courts at Nieder

SALE OF CITY PROPERTY

The City owns several properties which are used for a variety of purposes. Our team is reviewing our city owned properties and will recommend practices on ways we can dispose of City property, which may include auction, bid, private sale, or RFP and how the city determines when a property should be disposed from City ownership.

RECRUITMENT

Chief of Police: The test was given to five individuals on March 26. Results are usually returned between 90-120 days from the date of test. If three internal candidates successfully complete the test, then we will only have the ability to interview the candidates from the internal list, as the list is then considered a mandatory list. If less than three internal candidates successfully test (score above 70) then the external candidate list is viable for use. I do not have a list of candidate's names at this time. Once the results are received, interviews will be held in a panel format as well as community presentations by the 2-3 top candidates. The current Chief is set to retire in summer of 2023.

Assessor: The current salary for this role is \$75,500 - \$80,000. The Assessor is a joint position shared via contract with the City of Canandaigua and we will work together on the interview process. The Assessor is a management, non-competitive position, which means there is not a test for this position.

Director of the Planning and Economic Development Department: This is currently posted and the search is ongoing for this position. The posted salary for this position is \$72,500 - \$82,700. There is not a test for this position. Once the candidate pool is closed an internal and external team will work together to interview the selected candidates. The members of the panel will include representatives from IDA, LDC, RLF, County Economic Development, School District, Colleges, and internal staff members.

Currently, the Comptroller, City Manager's Office, and staff from the PED Department are sharing city responsibilities related to the work of this position. Applications are due on April 21, 2023.

Junior Engineer – This position is now posted on the Ontario County Civil Service site. Applications are due by April 30, 2023.

Engineer Technician – This position is also posted on the Ontario County Civil Service site. Applications are due by April 30, 2023.

COMMITTEES

An internal staff team has begun the review of committees, boards and commissions that support the city. At the May council meeting, staff will bring forward a recommendation of ways to revamp our city committees. We are currently looking at the number of committees, the engagement of the committee members, the ways the committees interact in the community, and the ways the committees support the work of the city. Additionally, staff are preparing information on ways that City committees may be able to access City funding, at the discretion of council, for committee activities.

Food Truck Ordinance

Staff from the Clerk's office, Planning and Economic Development department, Buildings and Code Enforcement unit, and the City Manager's office, met earlier this week to discuss food trucks in the city. The team will create a draft policy with areas for the members of council to explore and debate based off of other policies in surrounding communities. As part of the June council meeting, we will provide an overview on the areas we explored and how the proposed change in ordinance would impact (both positively and negatively) the city. From the Council discussion, we can revise the draft ordinance and allow for public comment at the July council meeting as part of the first reading of the draft ordinance.

City Manager Hendrix thanked council for their one-on-one meetings with her to discuss focus areas for 2023. She noted that twenty-two different topic areas came up.

Clr. Gaglianese told the city manager that the city needs to fast track the food truck ordinance and find weed control solutions before the summer is over. He questioned why it is so hard to fill positions in the city such as the Assessor and Economic Development Director. He said that we need to work with the Town of Geneva on the water problems we are having during rain storms as he feels their extra buildings are creating the problems. He asked if there are funds from the State. Clr. Gaglianese asked if we have an adequate amount of road patrol staff with the upcoming hiring of a new police chief in order to use less overtime in the police budget. City Manager Hendrix noted that there are officers currently in the academy who will not be ready to go on their own for months.

Clr. Regan said that council needs to have work sessions to try and accomplish more. Mayor Valentino told council to request work sessions if they have topics to discuss. Clr. Noone said he would like a work session in May to discuss food trucks with an ordinance in June. Mayor Valentino told councilors to send him their available times.

Clr. Salamendra noted that these conversations are not following the rules, saying that topics can be added to the agenda for discussion. If councilors want something done, they need to add it to the agenda so other councilors can be prepared.

When asked about the MAP grant administration decision, City Manager Hendrix told everyone we have selected an administrator, and they will begin next Friday.

Clr. Camera said that the problem council has had with some of the work sessions is council jumps in without staff research. He said that staff knows this better than anyone, and they can do the work and get council to a clear resolution so council doesn't waste time.

Clr. Pealer said he would like to have the capture of rainwater investigated, he would like to see the spring park maintenance cycle coincide with Easter Break, and he wondered why food trucks were now a topic for discussion. City Manager Hendrix explained to council that staff had put the food truck discussion on hold due to finite resources. If the food truck discussion needs to be moved to the front of the line, then something else will need to wait.

8. UPDATE ON THE ZONING PROCESS

City Manager Hendrix told council that a SEQRA on the first part of the zoning process was done in November 2020 and the referral was initiated to Ontario County. In 2021 and 2022, many changes were made, and a draft document will be uploaded and sent to everyone by the end of the week. She noted that a work session may be needed to discuss the edits before the final draft goes to Ontario County. She recommended a work session in May, and public comment will be needed. Clr. Burrall requested a paper copy of the plan.

9. RESOLUTION ESTABLISHING A PUBLIC HEARING FOR THE SALE OF CITY OWNED PROPERTY

City Manager Hendrix presented the following resolution:

WHEREAS, the City of Geneva owns real property located at 30 Castle Street (104.43-2-3); and

WHEREAS, the Geneva City Council has deemed that the property no longer serves a public purpose and should be sold to a private party; and

WHEREAS, staff is reviewing private interest in this property; and

WHEREAS, if a proposal is determined to be in the best interest of Geneva residents, City Council anticipates a sale of the property.

NOW, THEREFORE BE IT RESOLVED, that a public hearing for the sale of the above referenced property be held at the regular City Council meeting on May 3, 2023.

City Manager Hendrix told council that the City of Geneva owns 0.015 acres of real property located at the rear of 30 Castle Street which no longer serves a public service and could be sold to a private party. This is scheduling a public hearing May 3rd which is required for the sale of city owned property. She said she will include a survey in the next agenda.

ACTION TAKEN by Clr. Noone; seconded by Clr. Gaglianese
MOVED THAT this resolution be approved
MOTION CARRIED UNANIMOUSLY

10. RESOLUTION AMENDING THE 2023 SEWER FUND BUDGET FOR THE WASTE WATER TREATMENT PLANT REPAIRS

City Comptroller Newcomb presented the following resolution:

WHEREAS, the City of Geneva Waste Water Treatment Plant has incurred several significant equipment failures since January 2023 and

WHEREAS, the City Staff have completed all internal repairs possible and the existing 2023 budget cannot accommodate the additional cost to maintain operations

NOW, THEREFORE, BE IT RESOLVED, that the Geneva City Council, hereby, and in due form, does amend the 2023 Sewer Fund Budget as follows:

REVENUES:

Add

APPROPRIATION FROM SEWER FUND BALANCE	NOT TO EXCEED \$280,000
---------------------------------------	-------------------------

EXPENSES:

Add

Sewer:

EQUIPMENT PURCHASES	NOT TO EXCEED \$280,000
---------------------	-------------------------

Comptroller Newcomb told council that since January 2023 the Waste Water Treatment Plant has experienced several emergency equipment failures including the conveyor belt and the Amwell drive at the treatment facility, the bar screen at the high flow facility and the SCADA computer alarm system upgrade. Fortunately, City Staff have been able to complete significant repairs internally for

recognized cost savings, the additional cost for replacement equipment and install will be covered by this budget amendment.

Clr. Pealer questioned why we were not bonding for this, and Comptroller Newcomb said we have enough cash at the moment and would not need to pay interest or issuing costs. Mayor Valentino said he would like to see what percentage is left in the fund balance.

ACTION TAKEN by Clr. Camera; seconded by Clr. Brimm

MOVED THAT this resolution be approved

**ROLL CALL VOTE: Aye – Clr. Camera, Clr. Regan, Mayor Valentino, Clr. Noone, Clr. Burrall,
Clr. Gaglianese, Clr. Salamendra, and Clr. Brimm**

Nay – Clr. Pealer

MOTION CARRIED

11. RESOLUTION AMENDING THE 2023 GENERAL FUND BUDGET FOR UPFITTING NEW FIRE CHIEF VEHICLE

City Comptroller Newcomb presented the following resolution:

WHEREAS, the City of Geneva Fire Department, utilizing surplus funds from the sale of a Ladder Fire Truck previously marked as surplus, purchased a new vehicle for the Fire Chief to allow for the replacement of the Deputy Fire Chief vehicle and

WHEREAS, the cost to upfit the vehicle for operations is not covered in the current 2023 budget

NOW, THEREFORE, BE IT RESOLVED, that the Geneva City Council, hereby, and in due form, does amend the 2023 General Fund Budget as follows:

REVENUES:

Add

APPROPRIATION FROM GENERAL FUND BALANCE

NOT TO EXCEED \$35,000

EXPENSES:

Add

Fire:

EQUIPMENT PURCHASES

NOT TO EXCEED \$35,000

Comptroller Newcomb said the current Deputy Fire Chief vehicle has required significant repairs over the last several years and has reached a point where the cost of maintenance exceeds the benefit of investing in the vehicle. Utilizing \$40,000 received from the previously planned sale of a Ladder Fire Truck, the city was able to purchase a new utility vehicle for the Fire Chief. In order for the new vehicle to be operational on calls, it requires equipment upfitting estimated to cost around \$35,000.

ACTION TAKEN by Clr. Noone; seconded by Clr. Gaglianese
MOVED THAT this resolution be approved
MOTION CARRIED UNANIMOUSLY

12. RESOLUTION INCREASING THE MEMORIAL BENCH FEE

City Comptroller Newcomb presented the following resolution:

WHEREAS, the City of Geneva implemented a fee of \$2,000 to cover the cost of memorial benches purchased and placed around the City Parks; and

WHEREAS, the cost of the materials for the bench, memorial plaque and concrete pad have increased over the years. Staff has determined a fee increase to \$3,750 is required to cover the cost.

NOW, THEREFORE, BE IT RESOLVED, that the Geneva City Council, hereby, and in due form, does amend the Memorial Bench Fee to \$3,750.

AND BE IT FURTHER RESOLVED, that these fees shall be effective immediately upon approval.

Clr. Regan told everyone that her father walked at the lake. She said that he needed to rest frequently and came up with this bench idea, so she called the DPW and they worked with them.

ACTION TAKEN by Clr. Camera; seconded by Clr. Regan
MOVED THAT this resolution be approved
MOTION CARRIED UNANIMOUSLY

13. FIRST READING OF AN ORDINANCE AMENDING CHAPTER 215 ENTITLED "LICENSING OF OCCUPATIONS"

City Manager Hendrix presented the following ordinance for first reading:

Be it ordained by the City Council of the City of Geneva, NY that Chapter 215 entitled "Licensing of Occupations" of the City of Geneva Municipal Code be amended as follows:

1. Article I, section 215-6 (A) is hereby amended to read:

"Such application shall be accompanied by a cash deposit or payment bond with sufficient sureties in the sum of \$7,500, which must be approved by the City Attorney, and conditioned for the faithful observation of the laws of the State of New York and this chapter and all other applicable local laws, ordinances, rules and regulations of the city."

2. Article I, section 215-7 is hereby amended to read:

"Upon the filing of the application, bond and information as provided in the previous sections, the City Clerk may upon his approval of such application and payment to the City Clerk of the license fee hereinafter provided, issue to the applicant a license to engage in the business of auctioneering. No license shall be refused except for a specific reason and for the protection of the public safety, good order and morals. All licenses shall be numbered in the order in which they are issued and shall state clearly the dates of issuance and expiration of the license, the fee paid and the name and address of the licensee. No applicant to whom a license has been refused shall make further application until a period of at least three months has elapsed since the last previous rejection, unless he can show that the reason for such rejection no longer exists."

3. Article I, section 215-8 is hereby amended to read:

"The fee for this license shall be determined by the Geneva City Council during budget discussions. No license shall be used by any other person other than the original licensee, and any holder of such license who permits it to be used by another person and any person who uses such license granted to another person shall be guilty of a violation of this article."

4. Article II, section 215-14 thru 23 entitled "Barbers" is hereby repealed

5. Article III, section 215-24 thru 31 entitled "Hairdressing and Cosmetology" is hereby repealed

6. Article IV, section 215-32 thru 37 is hereby renumbered to Article II, section 215-14 thru 19.

a. New section 215-14 titled "Licenses Required" being amended to read:

"No person shall carry on or engage in any of the trades, occupations or businesses hereinafter specified within the city without first procuring a license from the City Clerk."

b. New section 215-16 (A) (1) titled "Trades, occupations and businesses specified" is being amended to read:

“Before a license shall be issued under this subsection, the licensee shall file with the City Clerk a bond in the penal sum of \$500 with surety or sureties to be approved by the City Attorney conditioned for the faithful observance of all applicable ordinances of the city”

- c. New section 215-16 (A)(2) titled “Trades, occupations and businesses specified” is being amended to read:

“The fee for the aforesaid license shall be determined by the Geneva City Council during budget discussions.”

- d. New section 215-16 (A)(3) titled “Trades, occupations and businesses specified” is hereby repealed

- e. New section 215-16 (B) is being amended to read:

“Junk Dealers. In considering any application for a license under this subsection, the City Clerk shall consider the general welfare of the city and the proposed location within the city where the licensee intends to carry on the business of junk dealer, and the City Clerk may refuse to grant such license in any case where he or she deems the issuance of such license would be contrary to public interests and the general welfare. The fee for the aforementioned license shall be determined by the Geneva City Council during budget discussions.”

- 7. Article V, section 215-38 thru 40 is hereby renumbered to Article III, section 215-20 thru 22, section 41 is hereby repealed, and section 42 and 43 are renumbered to 23 and 24.

- a. New section 315-21 titled “License Required” is hereby amended to read:

“License. It shall be unlawful for any person, associate, partnership or corporation to engage in business as a scrap processor unless such scrap processor shall have complied with the provisions of this article and obtained a license to do so from the City Clerk. Each license shall expire on June 30 of the year next ensuing.

- b. New section 315-22 titled “License application” is hereby amended to read:

“Application for a license hereunder shall be made in writing to the City Clerk, by the person to be licensed, on forms to be furnished by the City Clerk. The application shall contain such information as to name and address of the applicant and such other information as said City Clerk may reasonably require. The fee for said license shall be determined by the Geneva City Council during budget discussions.”

- c. New section 315-23 (B) entitled “Records” is hereby amended to read:

“Such records shall be available for inspection by local, county or state law enforcement officials or other officials having jurisdiction.”

- d. New section 315-24 (A) entitled “Penalties for offenses” is hereby amended to read:

“Each violation of this article by a scrap processor shall be a violation subject to a fine of not more than \$1000, unless such violation shall be willful, in which event it shall be a misdemeanor except,

however, the scrap processor shall not be liable for any violation of this article by a seller, his agent, or a purported seller or agent.

This ordinance shall take effect immediately and in accordance with law.

City Manager Hendrix told council that this section of the code was passed in 1968 and last updated in 1982. Since then, the city no longer issues Barber and Cosmetology licenses, and they are now issued by the Department of State. Additional changes are included for renumbering purposes and transferring issuing authority from the City Manager to the City Clerk.

ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Brimm
MOVED THAT this ordinance be approved for first reading
MOTION CARRIED UNANIMOUSLY

14. FIRST READING OF AN ORDINANCE AMENDING CHAPTER 335-17 ENTITLED "PARKING, STANDING AND STOPPING RESTRICTIONS"

City Manager Hendrix presented the following ordinance for first reading:

BE IT ORDAINED by the City Council of the City of Geneva, New York that Chapter 335, entitled "Vehicles & Traffic" of the City of Geneva Municipal Code be amended:

WHEREAS, the current section 335-17, entitled "Parking, standing and stopping restrictions" Indicates On the north side of William Street: No parking from a point 50 feet easterly from the east curb line of West Street to Nursery Avenue. On the south side of William Street, there are no restrictions.

WHEREAS, the City Director of Public Works recommends that correct no parking here to corner distances be established in this area.

NOW THEREFORE IT IS ORDAINED, as follows:

Section 335-17 of the Geneva City Code, entitled "Parking, standing and stopping restrictions." be and the same is hereby amended to include the following:

William Street

On the north side:

No parking from a point 75 feet easterly from the east curb line of West Street. Blocking of the driveways to houses Number 242 and 246 William Street will not be allowed.

On the south side:

No parking from a point 60 feet westerly from the west curb line of West Street.

City Manager Hendrix told council that no parking here to corner signage have been in place at William Street and West Street intersection for many years, but the city ordinance did not correctly identify the signage locations. With the recent addition of stop signs, the Director of Public Works recommends that No Parking Here to Corner signs be properly installed and identified at William Street and at West Street to safely control vehicle traffic at this intersection.

ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Camera
MOVED THAT this resolution be approved
MOTION CARRIED UNANIMOUSLY

15. BOARD/COMMISSION APPOINTMENTS

ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Noone
MOVED THAT Donald McGuigan be reappointed as the Nester Hose Fire Commissioner
MOTION CARRIED UNANIMOUSLY

ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Noone
MOVED THAT Michael McWilliams be reappointed to the Recreation Advisory Board
MOTION CARRIED UNANIMOUSLY

Clr. Gaglianese mentioned that there are several boards and commissions lacking in filling seats along with some non-functioning members. He said that the Police Budget Advisory Board needs to fill two seats, and he is working on that. Clr. Camera asked if he could get copies of the applications to review.

16. MAYOR AND COUNCIL REPORTS

Clr. Brimm said that the Housing Authority met this past month and reported their stand-alone sites as well as complexes to the county for the housing piece.

Clr. Gaglianese said that the Planning Board met in March to review a site plan and architectural review for 210 Washington Street and a subdivision application combining three lots owned by the City of Geneva into one. The Police Budget Advisory Board met in March to get an overview of the budget process by the comptroller, and they are working on their recommendations. He thanked the cleanup crews who worked long hours during the storm.

Clr. Salamendra said that March 31st was Trans Day of Visibility and is a day where we remind ourselves to stand up for trans lives all year long. This year is especially important as we watch trans people and their rights come under further attack. She said that we must call out and condemn the violence and the rhetoric that incites the violence especially when it comes from a position of power. She said that a

constituent brought to her attention that another council member made bigoted statements on his Twitter page, and she wants to make it clear that he does not speak for all of council. She said that she stands with trans people and they have the right to be comfortable in their bodies, get the care that they require and feel safe in their communities. She would like Geneva to rise up against hate and say that trans lives matter.

Clr. Camera said that he is looking for this to be a trans welcoming community and for them to feel safe here. He thanked the city manager for her letter to Norfolk Southern and the excellent report on parks and recreation saying he would like it on the website. He also thanked her for the flood report, and he thanked all of the efforts of the DPW, Fire Departments and volunteers. He said he would like to figure out a way to advise residents what they can do. He said that his family took low-cost action in their basement after a flood. He said that Earth Day will be celebrated in Seneca Falls on April 22nd with a rally that the Seneca Lake Guardian people have organized at Waterloo Container. They will rally and protest to urge Gov. Hochul to close the state's largest landfill, Seneca Meadows on schedule in 2025. This landfill is one of the biggest environmental threats to the Finger Lakes, burping out harmful climate busting emissions and producing millions of gallons of toxic chemicals that get dumped into our state waterways annually. The group is also calling on the state to develop comprehensive zero-waste legislation to effectively phase-out the need for solid-waste landfills. The advocates will be joined by elected officials, business owners, and community members, and the rally will take place at Waterloo Container with the landfill towering 280 feet high in the backdrop. He said the campaign continues to gain momentum, with major environmental players like the National Resources Defense Council (NRDC), the Sierra Club, Environmental Advocates of New York (EANY) and the New York Public Interest Group (NYPIRG) backing it. Local farmers will be donating food to be prepared and served by local chef Peggy Aker. Annie Burns of the famous Burns Sisters along with Doug Robinson and Harry Aceto will perform live music. He said at 11:30 there will be a number of speakers: Yvonne Taylor, Barb Reese, Michael Warren Thomas, Rich Swinehart, President and CEO Waterloo Container, Steve Churchill, Janet Aaron, Skaneateles Town Supervisor, and Clr. Camera as well.

He said that the DEC's solid waste management plan for beyond 2030 draft has been released and they are taking comments until May 15th. They also have a question-and-answer section on their website.

Clr. Regan said she hopes we can be a welcoming community to all people. She said that the Mission Zero event sponsored by the Green Committee will be April 22nd at the Recreation Complex from 10:00-2:00. She said the Shadetree Committee will be giving away free trees, there will be free tours offered of the solar homes, there will be composting demonstrations, advice on heating/cooling your home more efficiently, and other fun activities. She said that council passed a resolution regarding a heat smart program and they needed permission from the city to send out ads. She said she met with them and the Town of Geneva and have filed the paperwork to officially begin this program. There will be a launch early in May at the Geneva Community Center, and they will also be at Mission Zero. Clr. Regan said she attended a webinar on solid waste management. She attended a NYSEG presentation with the city manager to learn what residents can do when seeing an escalation in their bills. She said the Green Committee is having a meeting for people interested in weeding this Saturday for the HWS Day of Service from 10:00-2:00. She announced that the 125th Celebration was a success with the final event held at the Smith Opera House, a reception and fireworks. She noted there are still a few "I was here in 1898" signs at city hall. She said that Linda Robertson will continue her column in the Finger Lakes Times for the rest of the year comparing 1898 with today.

Clr. Pealer said that the Recreation Board did not meet but he had an update from the Recreation Director.

- The Recreation Department wants to congratulate the 2023 NCAA Ice Hockey Champions Hobart Statesman back from going undefeated at home this Season. Thank you to the players who came home and immediately helped us install the Turf for Spring Recreation Programming.
- We had a very Successful Easter Egg Hunt with over 100 kids and owe a thank to Geneva YMCA and Geneva Reads for providing support.
- Thank you to the community member's that helped clean up Jefferson St baseball diamond.
- Our Spring Break Recreation Camp April 3-7th was a success with over 30 week-long participants and all are looking forward to coming back for the summer.
- Coed Adult Soccer starts tonight 7:45-9:15 every Wednesday thru June 14^h
- Adult box lacrosse starts tomorrow 4/13 7:45-9:15 Drop ins welcomed.
- Soccer Tots for 3-4-year-olds are open and the first session is May 8th at 5:45pm
- Summer Youth Soccer leagues for 5-6- and 7-8-year-olds is open deadline May 26th
- Adult Co-ed Softball signups are open. Play will begin June 6th We are in search of Umpires please contact us if you're interested.
- Free Pickleball in the parks demo will be Sunday May 21st from 10-11am at Brook St. All ages and abilities welcomed.
- Summer Recreation Camp will start July 5th all registration information can be found on our website. Scholarship opportunities are available. Any questions please email Amy aosterhout@geneva.ny.us or give us a call 315-789-5005

Clr. Pealer said he had comments from residents about the weeds and the black light posts being corroded and needing paint.

Clr. Burrall thanked Supervisor Kennedy for his thorough update and Pat Schiller for her public comment. He said that with summer coming, there will be an increased demand for blood, so residents can donate blood at the following places: April 20th at the VFW in Waterloo from 1-6pm, April 21st at the Hall Fire Department from 1-6pm, April 24th at the Presbyterian Church from 1-7pm, April 28th at Geneva General Hospital from 10-3pm, and May 2 at Dellago from 1-6pm. He said the BID welcomed three new board members; Chad Lahr, Kelsey Journal, and Mark Fabianis. Their annual dinner was held March 28th at Bella's where they presented the new Charles Bauder Award for Exceptional Service to Geneva. Charles Bauder was a founding member of the BID in 1986. Clr. Burrall announced that the Garlic Festival planning is underway with 30% of the funding collected. Cruisin Night will be June 2nd. He said the BID is geared up with advertising for summer help for weeding and maintenance. He said the BID welcomed new businesses in the downtown: Anorah Restaurant on Castle St., Grounded – a coffee shop on Castle St, Murphy's Market next to Twisted Rail on Exchange Street, a smoke shop on Exchange across from Hampton, Btk Ink - tattoo place on Exchange, and Botanica La Santisima religious gift store on Castle St. Clr. Burrall said that at the Mission Zero Event the Shadetree Committee will be giving away 100 free trees at no cost to the Department of Public Works. Residents will have a choice of 4 different varieties. He noted that young families planting trees is a wonderful education for children. He said that his recent firewood sales brought in \$175 for the Comptroller. He gave a shoutout to a couple members from the Shadetree Committee who will be driving to Maryland to pick up the 100 trees to save the \$900 shipping cost. Lastly, he said that the committee has three openings.

Clr. Noone said that he, Bob Ohman, and some others are planning a tribute to John Salone on opening day at the Red Wings Field on June 3rd at 7:00pm. He will have more details coming soon.

Mayor Valentino thanked the city manager for a very informational update. He gave a big thank you to staff and volunteers on the cleanup after the recent rain. He said that the development taking place in the Town of Geneva did not have specific standards for water retention, and that changed around fifteen years ago so now any development now needs water retention either above ground or underground. He said when the county redid Pre-Emption Road, there was a major redo to try and control the rush of water coming down the hill.

17. ADJOURNMENT

ACTION TAKEN by Clr. Noone; seconded by Clr. Gaglianese

MOVED THAT the meeting be adjourned at 9:20pm

MOTION CARRIED UNANIMOUSLY

Lori Guinan

City Clerk

THE GENEVA CITY COUNCIL

JOURNAL OF PROCEEDINGS

SPECIAL COUNCIL MEETING

April 19, 2023 – 5:30 PM

Public Safety Building
255 Exchange Street
Geneva, NY 14456

Presiding – Steve Valentino, Mayor

1. ROLL CALL

Present: Clr. Regan, Clr. Gaglianese, Clr. Camera, Clr. Brimm, Clr. Noone, and Clr. Burrall

Absent: Clr. Pealer and Clr. Salamendra

2. SHORT-TERM RENTALS DISCUSSION

Mayor Valentino told everyone that the outlook of this meeting is to give staff direction to put together an ordinance.

Clr. Regan read notes from Clr. Salamendra. Air B&B's, like long-term rentals, are businesses and with long-term rentals, it is important to know who is doing business here. Her suggestion is to create a registry when council leaves this meeting with the hope of answering some questions: by when would Air B&Bs be required to register to do business (say within 60 days of the approval of this legislation), and if not, should there be a penalty fee, who in the city will handle and who will educate residents and who will inspect rentals, how much should the registry cost, and if there are remaining funds, what will they be used for. She said that council needs to get an idea of how many short-term rentals there are and where the rentals are located, and staff can write the legislation if answers are given.

When Clr. Regan questioned if council wants a registry, Mayor Valentino said that council needs the city manager's input of how it impacts us so we can try to focus and provide staff with direction.

Clr. Gaglianese said that one size fits all will not work, and he feels the city needs to clean our own house before looking at other people's houses. He said he feels we need to enforce the codes on the books before putting more on the code enforcement officers' plates. He said he is not against this legislation, but he feels it should be done down the road and not rushed into. He said he feels the short-term requirements in the new zoning code are pretty fair and a good start, but short-term rental owners are not landlords. He said the housing crisis is not being caused by short term rentals. He said he does not want to be a part of this now, and he feels council needs to create revenue and build our infrastructure.

Mayor Valentino went over the goals of council; preserve housing affordability in the long-term rental and home ownership markets, limit negative effects on neighbors from noise, parking, and other nuisances, protect health and safety of the guests, ensure an even playing field for the formal lodging industry and compliance with city's hotel occupancy taxes, increase lodging supply during peak demand periods, allow residents the ability to generate additional income from their properties, and beautification and continuity of neighborhoods. He told council that if they want to talk about implementing anything, they need to look at our current staff capacity.

Clr. Brimm said he feels council needs to look at what staff can handle, because unless the city charges a ridiculous amount, it will go back on the taxpayers to fund hiring more staff. He said council needs to look at the immediate effects to keep people from moving out of the city. He said he is against this until the city can figure out a way to generate revenue to offset the cost.

Clr. Camera said that staff's document presented at the March meeting was excellent and helpful. He said he wants to preserve neighborhood character and keep neighborhoods quiet, kind, and dog friendly. He said that he feels licensing is important with a charge, and he feels hosted rentals vs. unhosted rentals make a difference. He said he would prefer to see rentals where the owner lives in the house part of the time to eliminate the property being bought just to create a business. He said he feels we definitely need inspections and enforcement, but does not think code enforcement needs to monitor. He said a tax would help pay for monitoring by an outside service. He said we don't want too many people in one house and should limit the number of days to around fourteen. He said he is in favor of a registry and is willing to amend the code as needed, but he does not want to kill the tourist business.

Clr. Regan said she has been interested in this since the beginning with the possibility of collecting occupancy tax. She likes what Clr. Salamendra presented by starting with a registry. She agreed with Clr. Camera that this could be farmed out to a service with the registration fees going to that service. She said that with there being different rentals and costs to rent, she feels the fees should be reflective of the cost to rent, and the legislation should pay for itself. She said that council can't keep shutting their eyes just because there is too much on their plate. She said that people are reporting that houses are being purchased for Air B&Bs. She said council needs to get a registry going, then start charging a fee, and move into occupancy tax which is a tax on the renter.

Clr. Burrall asked what council is trying to solve here and if the complaints being received could be taken care of in other ways, such as parking and noise complaints. He said that if council is trying to preserve housing affordability and home ownership, how will a registry and tax on short-term rentals fix this. He questioned what will be done with the tax and/or registry fee, and can council develop an incentive for long term rental and home ownership. He said he is in favor of incentivizing long term rental and owner-occupied housing. He said he feels they do not need to be inspected, but they should be taxed as more and more are being converted to short term rentals. He suggested offering lower taxes to long-term rentals with a diminishing scale. He said he is in favor of a registry that includes commercial buildings. He concluded by saying that he is in favor of legislation to make it beneficial to what the problem is.

Clr. Noone said that the city needs to do something. He said we need regulations, inspections, permits, notices to neighbors, and occupancy restrictions. He questioned how the city was doing with the rental registry and asked what is being done if landlords do not register. He asked if staff feels the numbers measure up to what we actually have for rentals in the city and if it is effective, noting that accountability is huge. He said we need to find a way to make the codes on the books work for staff. He questioned what the revenue impact could be, who we would farm it out to, and how we would limit the number of units. He added that we need to know how many rentals exist and what we will do to enforce the new requirements council wants to implement. He suggested looking at what other municipalities do and said we need to move toward occupancy tax.

Clr. Regan read a comment from Clr. Salamendra. She said that Air B&Bs should have 60 days to register or shut down. She said that the fire or code departments can handle the inspections, and the cost of two nights rental being the fee to cover the inspections with the rest going to a designated fund to help alleviate the Air B&B effect.

Mayor Valentino said that council continually asks more from staff and said he feels we cannot overburden them when council is asking for changes. He said that there is a continual disruption in certain neighborhoods based on a lack of ability to enforce in real time when neighbors are affected. He said that as far as short-term rentals, there is little he would support for prohibiting in neighborhoods, creating zones, density restrictions, use of limitations, minimum nights or grandfathering. He said he feels occupancy should be enforced, but he does not see licensing as an option as there are challenges with capturing the number out there. He said taxation is important because hotels pay tax based on occupancy. He said he wants to make sure short-term rentals are not treated differently than hotels. He said he feels if there are violations that continue in short-term rentals, then it should affect their ability to operate.

City Manager Hendrix said that there are three primary vendors that staff can look at to see how often homes are offered for short-term rentals in the city. She said that in peak season, rentals are going for more than \$1,000 per night. She said that they can compile what rentals look like and some can create a registry if you have a subscription. She said that accountability is a piece of this and staff needs to decide what to do whether we monitor or hire a service. She said for a registry fee, we will need to figure out what will be done with that money, and staff would need to send out bills and follow up. She said that public comment will be needed and collecting occupancy tax will be a bigger haul. She asked council what first steps they had in mind.

City Manager Hendrix said that it looks like council is in favor of a registry with accountability so something can be added to the ordinance for that. She said that staff will prepare something for council, but she is not saying that they need to do that. She will present the information to allow council to debate more.

Clr. Gaglianese said council needs more information to avoid unnecessary burdens on renters or lawsuits.

Clr. Brimm said he feels it should be a flat fee and questioned how the city will collect the occupancy tax and close all of the loopholes.

Clr. Burrall said he does not see a purpose of collecting a registration fee, just to hit a break-even point, just to find out how many short-term rentals we have. He asked if council agrees what the problem is and asked what the purpose would be for having a fee to register so we could get to a break-even point. He noted that the city does not charge a fee for the long-term rental registry and has no consequences for those who do not register. He said the permit should be based on the number of rental exposures you have. He said council should figure out what will be done with the fee, and he is not in favor of farming this out.

Mayor Valentino said it makes no difference if we have a registry or a permit. He said this will give us a database to work with to make changes to the code.

City Manager Hendrix told council that there will either be a special meeting in May or it will be on the June agenda, and the zoning update will be in their inboxes shortly.

3. ADJOURNMENT

ACTION TAKEN by Clr. Noone; seconded by Clr. Gaglianese
MOVED THAT the meeting be adjourned at 7:01pm
MOTION CARRIED UNANIMOUSLY

Lori Guinan

City Clerk



**Geneva City Council
Agenda Item Briefing**

To: Geneva City Council

From: Lori Guinan, City Clerk

Meeting Date: May 3, 2023

Item Title: Second Reading of an Ordinance Amending Chapter 215, Entitled "Licensing of Occupations" of the City of Geneva Municipal Code

Action Required:

Amend Geneva City Code Section 215 to remove licensing of Barbers, Hairdressers and Cosmetologists.

Background:

This section of the code was passed in 1968 and last updated in 1982. Since then, the city no longer issues these licenses, and they are now issued by the Department of State. Additional changes are included for renumbering purposes and transferring issuing authority from the City Manager to the City Clerk.

Financial Impact:

None

Office of the City Clerk

Lori Guinan

CITY HALL - 47 CASTLE STREET - GENEVA, NEW YORK 14456

(315) 789-2603 - FAX (315) 789-0604 - lguinan@geneva.ny.us - www.cityofgeneva.ny.com

ORDINANCE # 4 - 2023

AN ORDINANCE AMENDING CHAPTER 215 ENTITLED "LICENSING OF OCCUPATIONS"

Be it ordained by the City Council of the City of Geneva, NY that Chapter 215 entitled "Licensing of Occupations" of the City of Geneva Municipal Code be amended as follows:

1. Article I, section 215-6 (A) is hereby amended to read:

"Such application shall be accompanied by a cash deposit or payment bond with sufficient sureties in the sum of \$7,500, which must be approved by the City Attorney, and conditioned for the faithful observation of the laws of the State of New York and this chapter and all other applicable local laws, ordinances, rules and regulations of the city."

2. Article I, section 215-7 is hereby amended to read:

"Upon the filing of the application, bond and information as provided in the previous sections, the City Clerk may upon his approval of such application and payment to the City Clerk of the license fee hereinafter provided, issue to the applicant a license to engage in the business of auctioneering. No license shall be refused except for a specific reason and for the protection of the public safety, good order and morals. All licenses shall be numbered in the order in which they are issued and shall state clearly the dates of issuance and expiration of the license, the fee paid and the name and address of the licensee. No applicant to whom a license has been refused shall make further application until a period of at least three months has elapsed since the last previous rejection, unless he can show that the reason for such rejection no longer exists."

3. Article I, section 215-8 is hereby amended to read:

"The fee for this license shall be determined by the Geneva City Council during budget discussions. No license shall be used by any other person other than the original licensee, and any holder of such license who permits it to be used by another person and any person who uses such license granted to another person shall be guilty of a violation of this article."

4. Article II, section 215-14 thru 23 entitled "Barbers" is hereby repealed
5. Article III, section 215-24 thru 31 entitled "Hairdressing and Cosmetology" is hereby repealed
6. Article IV, section 215-32 thru 37 is hereby renumbered to Article II, section 215-14 thru 19.

- a. New section 215-14 titled "Licenses Required" being amended to read:

"No person shall carry on or engage in any of the trades, occupations or businesses hereinafter specified within the city without first procuring a license from the City Clerk."

- b. New section 215-16 (A) (1) titled "Trades, occupations and businesses specified" is being amended to read:

"Before a license shall be issued under this subsection, the licensee shall file with the City Clerk a bond in the penal sum of \$500 with surety or sureties to be approved by the City Attorney conditioned for the faithful observance of all applicable ordinances of the city"
 - c. New section 215-16 (A)(2) titled "Trades, occupations and businesses specified" is being amended to read:

"The fee for the aforesaid license shall be determined by the Geneva City Council during budget discussions."
 - d. New section 215-16 (A)(3) titled "Trades, occupations and businesses specified" is hereby repealed
 - e. New section 215-16 (B) is being amended to read:

"Junk Dealers. In considering any application for a license under this subsection, the City Clerk shall consider the general welfare of the city and the proposed location within the city where the licensee intends to carry on the business of junk dealer, and the City Clerk may refuse to grant such license in any case where he or she deems the issuance of such license would be contrary to public interests and the general welfare. The fee for the aforementioned license shall be determined by the Geneva City Council during budget discussions."
7. Article V, section 215-38 thru 40 is hereby renumbered to Article III, section 215-20 thru 22, section 41 is hereby repealed, and section 42 and 43 are renumbered to 23 and 24.
- a. New section 315-21 titled "License Required" is hereby amended to read:

"License. It shall be unlawful for any person, associate, partnership or corporation to engage in business as a scrap processor unless such scrap processor shall have complied with the provisions of this article and obtained a license to do so from the City Clerk. Each license shall expire on June 30 of the year next ensuing.
 - b. New section 315-22 titled "License application" is hereby amended to read:

"Application for a license hereunder shall be made in writing to the City Clerk, by the person to be licensed, on forms to be furnished by the City Clerk. The application shall contain such information as to name and address of the applicant and such other information as said City Clerk may reasonably require. The fee for said license shall be determined by the Geneva City Council during budget discussions."
 - c. New section 315-23 (B) entitled "Records" is hereby amended to read:

"Such records shall be available for inspection by local, county or state law enforcement officials or other officials having jurisdiction."

d. New section 315-24 (A) entitled "Penalties for offenses" is hereby amended to read:

"Each violation of this article by a scrap processor shall be a violation subject to a fine of not more than \$1000, unless such violation shall be willful, in which event it shall be a misdemeanor except, however, the scrap processor shall not be liable for any violation of this article by a seller, his agent, or a purported seller or agent.

This ordinance shall take effect immediately and in accordance with law.



Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Joseph Venuti, Director of Public Works

Meeting Date: May 3, 2023

Item Title: Second Reading of an Ordinance Amending Chapter 335-17, Entitled "Parking, Standing and Stopping Restrictions" of the City of Geneva Municipal Code

Action Required:

Properly identify No Parking Here to Corner signage

Background:

No parking here to corner signage have been in place at William Street and West Street intersection for many years. The city ordinance did not correctly identify the signage locations. With the recent stop sign controlled intersection installations, the Director of Public Works recommends that No Parking Here to Corner signs be properly installed and identified at William Street at West Street to safely control vehicle traffic at this intersection.

Financial Impact:

DPW material costs will be less than \$100.00

Department of Engineering and Public Works

Joseph Venuti, Director of Engineering and DPW

CITY HALL- 47 CASTLE STREET- GENEVA, NEW YORK 14456

(315) 789-3101 - FAX (315) 789-8373 - JVenuti@Geneva.ny.us - www.cityofgenevany.com

ORDINANCE # 5 - 2023

**AN ORDINANCE AMENDING CHAPTER 335 ENTITLED
"VEHICLES & TRAFFIC" OF THE CITY OF GENEVA MUNICIPAL CODE**

BE IT ORDAINED by the City Council of the City of Geneva, New York that Chapter 335, entitled "Vehicles & Traffic" of the City of Geneva Municipal Code be amended:

WHEREAS, the current section 335-17, entitled "Parking, standing and stopping restrictions" Indicates On the north side of William Street: No parking from a point 50 feet easterly from the east curb line of West Street to Nursery Avenue. On the south side of William Street, there are no restrictions.

WHEREAS, the City Director of Public Works recommends that correct no parking here to corner distances be established in this area.

NOW THEREFORE IT IS ORDAINED, as follows:

Section 335-17 of the Geneva City Code, entitled "Parking, standing and stopping restrictions," be and the same is hereby amended to include the following:

William Street

On the north side:

No parking from a point 75 feet easterly from the east curb line of West Street. Blocking of the driveways to houses Number 242 and 246 William Street will not be allowed.

On the south side:

No parking from a point 60 feet westerly from the west curb line of West Street.



Geneva City Council
Agenda Item Briefing

To: Geneva City Council

From: Amie Hendrix, City Manager

Meeting Date: May 3, 2023

Item Title: Resolution Affecting Sale of City Owned Property – 30 Castle Street

Action Required:

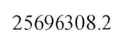
An affirmative vote by a super majority of the City Council is required to affect any property sale or lease.

Background:

The City of Geneva owns 0.015 acres of real property located at 30 Castle Street (104.43-2-3) which no longer serves a public service and should be sold to a private party. A public hearing was held at the start of this meeting. This resolution will allow the sale of this property to Castle Peacock, LLC for \$700.00.

Financial Impact:

Sale price of \$700.00.



RESOLUTION # 17 - 2023

RESOLUTION AFFECTING SALE OF CITY PROPERTY

WHEREAS, the City of Geneva owns real property located at 30 Castle Street (104.43-2-3);
and

WHEREAS, the Geneva City Council has deemed that the property no longer serves a public purpose and should be sold through a sealed bid process; and

WHEREAS, a public hearing was held on the potential sale of this property on May 3, 2023;
and

WHEREAS, disposal of this property is determined to be in the best interest of the City of Geneva,

NOW, THEREFORE BE IT RESOLVED, that the Geneva City Council, hereby and in due form, directs the City Manager and City Attorney to prepare and execute documents necessary to affect the sale of property at owns real property located at 30 Castle Street (104.43-2-3).

RESOLUTION # 18 - 2023

RESOLUTION RETIRING POLICE OFFICER BADGE NUMBER 839

Whereas, the purpose of a Police Officer's Badge is as a symbolic emblem, given by the people as a show of public trust. The Police Officer's Badge represents honor, integrity, truth and justice. The law enforcement badge is a symbol of service to the community, and

Whereas, to remove badges from circulation of officers who lost their lives while serving is often done to show respect for the sacrifice made by that particular officer.

Whereas, 18-year veteran, Officer Timothy S. Peters lost his life in 2022, and the Geneva Police Department lost a reliable, well-respected officer who put Geneva residents first and never hesitated to offer assistance where needed.

Now therefore be it resolved that the Geneva Police Department shall honor Officer Timothy S. Peters by forever removing his badge number 839 from circulation.



Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Lori Guinan, City Clerk

Meeting Date: May 3, 2023

Item Title: First Reading of an Ordinance Amending the City Code to Add Chapter 225 Entitled "Licensing of Mobile Food Establishments and Pushcarts."

Action Required:

Approval by council will add a new chapter to the city code for mobile food establishments and pushcarts, which includes food trucks and trailers.

Background:

As requested by Council at the April meeting, staff moved this ordinance to a priority position for review. With moving this up on the task list, the draft attached will need additional input and updates based on decisions council will make as well as further review by staff of locations and applications. Information and decisions garnered during the May 3 meeting will allow staff to update this ordinance based on Council's will for the second reading on June 7.

Staff researched other municipalities from throughout the Finger Lakes area to bring together an ordinance that is comparable to those municipalities. Staff took into consideration established businesses in the downtown and tried to place these mobile establishments in places that were not in direct competition with current businesses.

In addition to location operations, staff also researched the license fees which varied from \$250 to \$1,000 per year for different locations within other municipalities.

Office of the City Clerk

Lori Guinan

CITY HALL- 47 CASTLE STREET- GENEVA, NEW YORK 14456

(315) 789-2603 - FAX (315) 789-0604 - lguinan@geneva.ny.us - www.cityofgeneva.ny.com

The attached ordinance includes considerations of:

- A license fee of \$750, which council will review as part of the annual fee schedule during budget discussions each year.
- Limited locations, which are not adjacent to any existing food service locations. On the following pages are potential locations for five venues
 - Exchange Street (1 location – 2 potential locations provided)
 - Bicentennial Park (1 location – 2 potential locations provided)
 - Seneca Street (1 location – 2 potential locations provided)
 - Lake Front (2 locations – 5 potential locations provided)
- In the event there is more than one request for a certain location, the Clerk's Office will hold a lottery to choose one vendor for that space. Staff will designate the actual location for the vehicle that the vendor will need to stick to. This will take into consideration pedestrian traffic, trash receptacles and possible table and chair set up.
- A license period from April 1st to October 31st from 11:00am to 7:00pm, seven days a week with the option to sell during the remaining five months if there is unseasonably warm weather.
- Language that ensures vendors will abide by the State Sanitary Code, Environmental Health Regulations subpart 14-4 and will need to schedule an inspection with the Fire Chief's Office within 10 days of issuance of their license.
- An application, where the vendor will need to provide proof of all necessary licenses required by the Department of Health, motor vehicle registrations and driver's licenses, certificate of authority issued by the Department of Taxation and Finance, and proof of insurance.

Financial Impact:

Any revenue generated by licenses sold, potential return of additional sales tax received by the sales from the mobile food

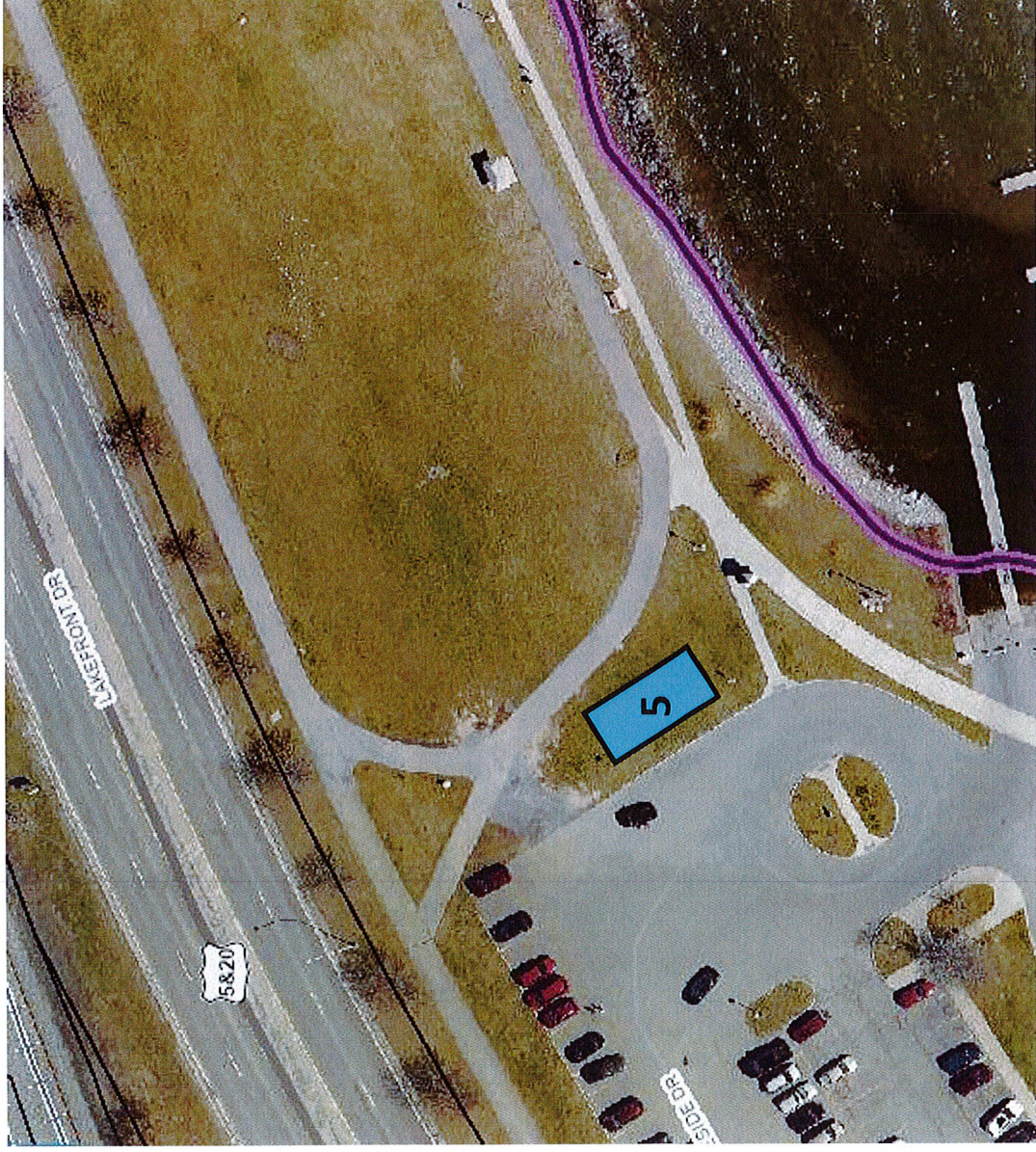
LAKEFRONT



LAKEFRONT



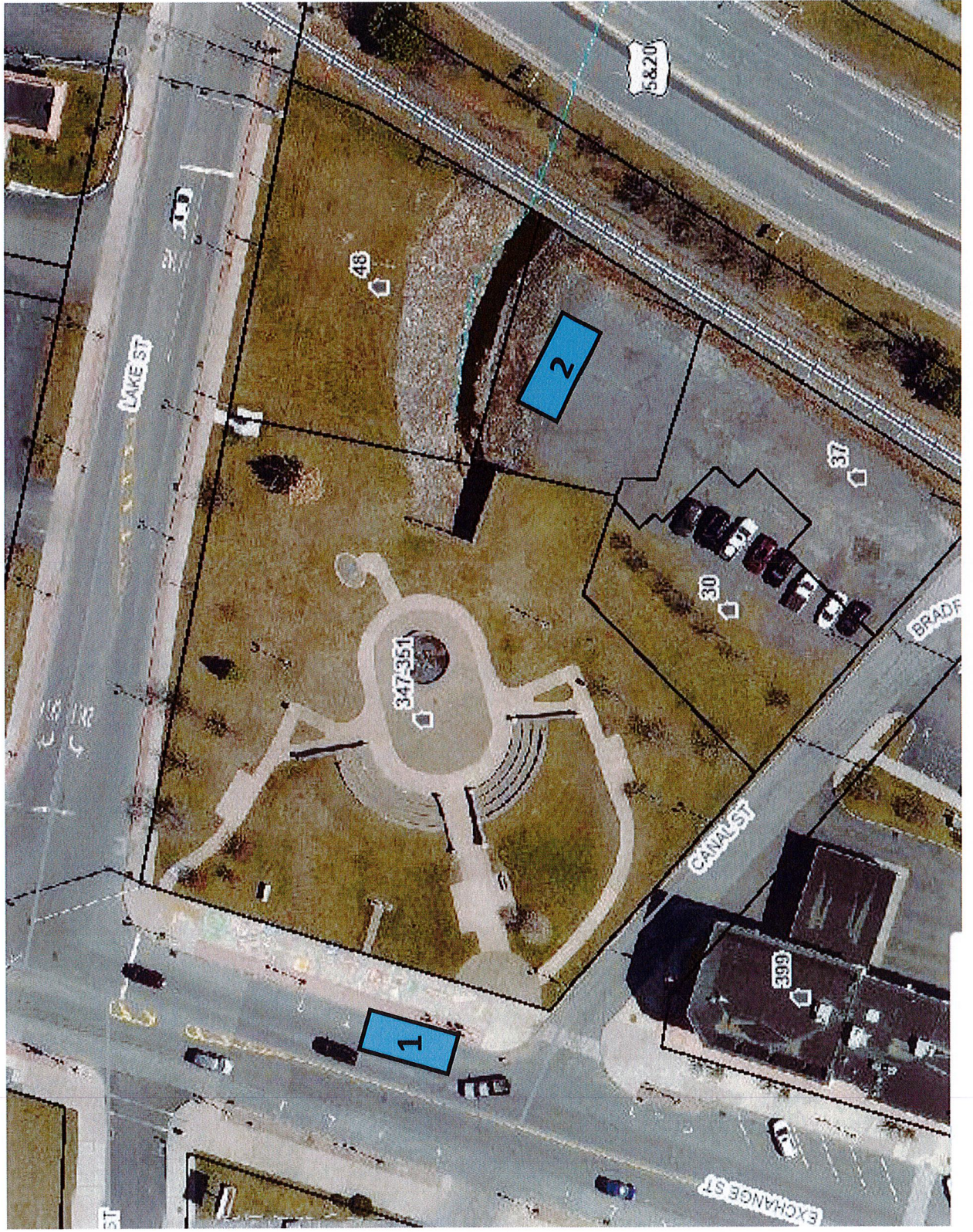
LAKEFRONT



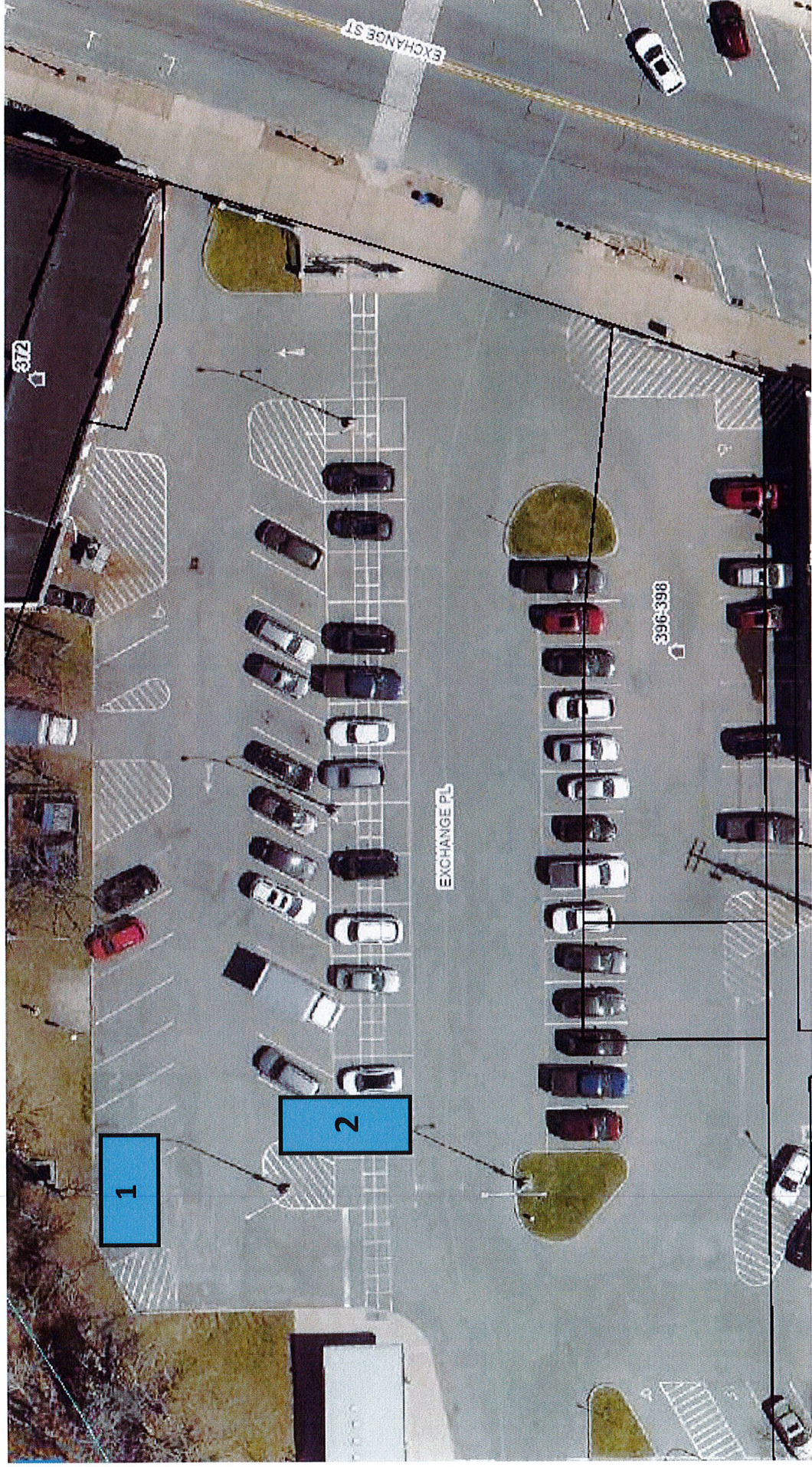
Option 5 is not recommended as a main location:

- There are numerous events held in this location. Any time an event is taking place, a food truck would need to be relocated. Per the ordinance, it cannot be within 500 feet of an event. This includes the Farmers Market. Food Trucks can (and do) vend at events & the farmers market for a separate fee.
- This area becomes very congested during the summer with boat trailers, vehicles, park traffic, etc.
- Food Trucks could have the option to vend here when an event is not taking place.

BICENTENNIAL PARK



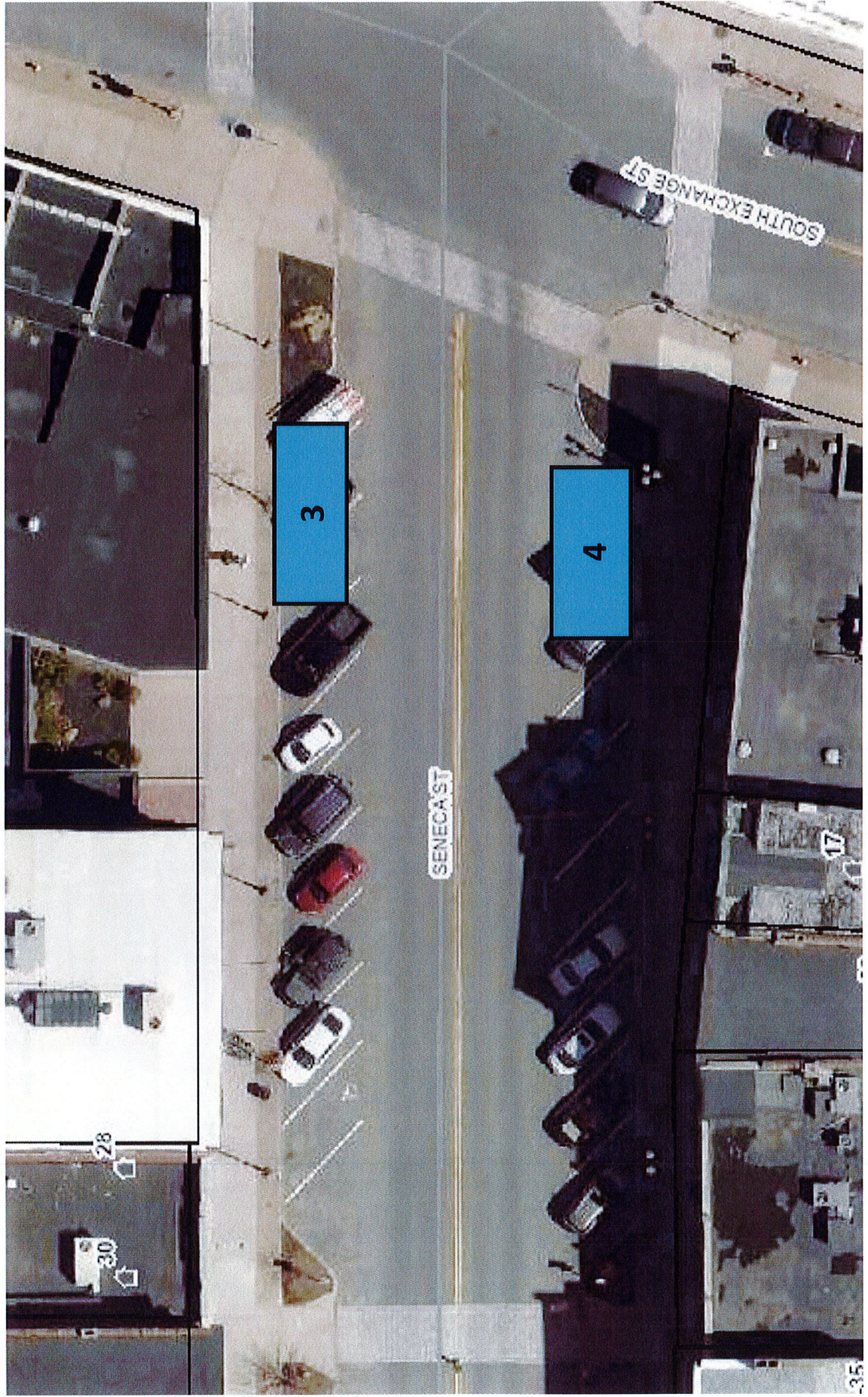
EXCHANGE ST. PARKING LOT



SENECA STREET



SENECA STEET



ORDINANCE # 6 - 2023

AN ORDINANCE AMENDING THE CITY CODE TO ADD CHAPTER 225 ENTITLED “LICENSING OF MOBILE FOOD ESTABLISHMENTS AND PUSHCARTS”

Be it ordained by the City Council of the City of Geneva, NY that a new Chapter 225 entitled “Licensing of Mobile Food Establishments and Pushcarts” be added to the City of Geneva Municipal Code as follows:

Chapter 225

Article I

Mobile Food Service Establishments and Pushcarts

§ 225-1. Definitions

As used in this article, and the State Sanitary Code, Environmental Health Regulations subpart 14-4 the following terms shall have the meanings indicated unless the context clearly indicates that a different meaning is intended:

MOBILE FOOD SERVICE ESTABLISHMENTS - a motorized or self-propelled, self-contained food service operation, located in a vehicle, pushcart or a movable stand, self- or otherwise propelled, used to store, prepare, display or serve food intended for individual portion service.

MOBILE FOOD TRUCK – a motorized vehicle registered and able to be operated on the public streets of New York State, in which ready-to-eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution.

FOOD TRAILER - a vehicle towed by another vehicle, registered and able to be operated on the public streets of New York State, in which ready-to-eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution.

PUSH CART- a cart or barrow, manually propelled, used to vend food intended for individual portion service.

COMMISSARY – an establishment operated under license or permit of an appropriate regulatory authority where food is manufactured, stored, prepared, portioned or packaged, or any combination of these, where such food is intended for consumption at another establishment or place. It is also the place which is used as the base of operations for one or more mobile food service establishments or pushcarts, where such units are serviced, cleaned, supplied, maintained, and where the equipment, utensils and facilities are serviced, cleaned and sanitized.

DESIGNATED LOCATIONS – mobile food service establishments who obtain a license per this section of the code will be assigned a location on city property where their mobile food truck, food trailer or push cart may be parked during their license period. Designated locations include: Exchange Street Parking Lot, Seneca Street Parking Lot, Lakefront (2), and Bicentennial Park with a specific parking space being assigned at the time the license is issued.

VENDOR- An individual, firm, estate, partnership, company, corporation, trustee, association, or any public or private entity operating a mobile food service establishment.

§ 225- 2. General Provisions

- A. No mobile food service establishment or push cart shall operate within the public rights-of-way within the city without first having obtained from the City Clerk a valid Mobile Food Service Establishment License as prescribed in this article.
- B. Mobile food trucks shall not be greater than 28 feet in length and shall be licensed as a motor vehicle and able to be operated on the public streets of New York State.
- C. Each mobile food service establishment must at all times carry on the vehicle a fire extinguisher and a measuring device with a measuring capacity of no less than 500 ft as a condition of its licensure. The failure of any mobile food service establishment to carry such fire extinguisher and a measuring device or abide by the proximity distance restrictions included in this article shall constitute a violation of this article.
- D. All mobile food service establishments must abide by all parking and vehicle and traffic laws, ordinances, rules and regulations at all times, including but not limited to any durational requirements in force and effect at that time and location.
- E. No mobile food service establishment shall operate within 100 feet of the closest point of any restaurant or sidewalk café seating area approved by the Department of Public Works.
- F. No mobile food service establishment shall operate within 500 feet of the boundary of any festival or special event that is permitted or sponsored by the city, except when the vendor has obtained a permit to so operate from the City of Geneva Events Coordinator.
- G. No mobile food truck, food trailer or push cart shall operate in a location that has the effect of obstructing access to or egress from any structure or the free flow of vehicular and pedestrian traffic.
- H. All food trucks and food trailers must be equipped with trash receptacles of a sufficient capacity that shall be changed as necessary to prevent overflow or the creation of litter or debris.
- I. Vendors are responsible for cleaning up any fluid, such as grease, gas, oil, etc., which leaks from their trucks, trailers or pushcarts.
- J. Vendor may place one sandwich board sign on the sidewalk nearest their food truck, food trailer or push cart as directed by city staff, but said sign cannot obstruct access to or egress from any structure or the free flow of vehicular and pedestrian traffic.
- K. No vendor shall cry out or make loud noises for the purpose of selling any food or merchandise.
- L. No vendor shall chain or otherwise attach any signs, goods, merchandise, chairs, stools or food cart or other equipment used in vending to any tree, hydrant, sign or post, light pole, telephone pole or other street appurtenance unless otherwise noted in this article.
- M. No vendor shall dispose of any litter or trash generated from the vending operation in public trash receptacles. Vendors shall store such litter or trash during the day in a trash receptacle firmly attached to the vending unit and carry the same with them at the end of the day. Vendors shall also be responsible for keeping the immediate area of their food truck, trailer or push cart free and clear of any litter, trash or spillage from the unit.

- N. No vendor shall conduct any vending activities in violation of any rule or regulation promulgated by the Chief of Police, the Development Services Manager or by the local Health Department with respect to vending of food or food products.
- O. Any mobile food truck, trailer, pushcart, tables, chairs and trash containers left unattended are the responsibility of the owner, and the City of Geneva cannot be held liable for damage or stolen property.
- P. Five designated areas of the city will be chosen along with the designated space in that area to be occupied by each mobile food establishment or pushcart.

§ 225- 3. License Required for Designated Locations on City Property

- A. Any person desiring to operate a food truck, food trailer or push cart in one of five locations on city property shall make written application for such license to the City Clerk. The application for such license shall be on forms provided by the City Clerk, and shall include the following:
 - 1. Name and address of each applicant and each corporate officer of the food truck, food trailer or push cart vending corporation, or owner of an unincorporated business.
 - 2. Address of the commissary used in the supply and preparation of food for this food truck, food trailer or push cart.
 - 3. A valid copy of all necessary licenses, permits or certificates required by the New York State Department of Health, and vendors must comply with all laws, rules and regulations of said department, including, but not limited to the State Sanitary Code, Environmental Health Regulations subpart 14-4.
 - 4. A valid New York State Department of Motor Vehicles registration, vehicle insurance and valid driver's licenses of all vehicle operators.
 - 5. A copy of a valid certificate of authority issued by the New York State Department of Taxation and Finance empowering the vendor to collect both the New York State sales tax and compensating use taxes.
 - 6. A background check provided by the police department where the applicant resides. A license application may be denied by the Chief of Police if the background check demonstrates that the applicant has been convicted of criminal offenses that have a direct relationship to the license or that would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public. Any decision to deny an application for this reason shall be made in compliance with Article 23-A of the Correction Law after considering the factors set forth in that law. An applicant who is denied shall be entitled to a hearing in the manner provided for a revocation of a license by this Chapter section 225-8.
 - 7. Within 10 days of the issuance of a license, the vendor will make an appointment with the Geneva Fire Chief's Office for an inspection of the mobile food truck, food trailer or push cart to determine that the vehicle meets applicable New York State Fire Codes and rules and regulations required by the Fire Chief. The Fire Chief is hereby authorized to promulgate such additional rules and regulations as may be necessary to assure the fire safety of vending units.

§ 225- 4. Insurance

Before any license authorized herein shall be issued, the applicant shall file with the city proof of insurance, issued by an insurance company licensed to do business in the State of New York and approved by the City Attorney as to form, which insurance must be kept continuously in force during the term of the license. At the time of application, applicants shall provide proof of insurance that extends for the entire license period. The insurance shall not be less than \$1,000,000 comprehensive/general liability insurance. Such insurance shall not expire, nor be canceled, altered or amended except on 10 days written notice to the City Clerk served personally or by certified mail. Municipal operations, employees and property shall not be excluded from coverage. The insurance must list the City of Geneva an additional insured party.

§ 225- 5. Form and Condition of License

Every food truck, food trailer or push cart vending license shall contain the following conditions:

- A. Each license shall be valid from April 1st thru October 31st of the issue year. In the event of unseasonable temperatures, vendors may request an extension of the license period during the remaining five months of the year. License fees shall not be prorated and no refunds given for any reason.
- B. The license shall not be transferable.
- C. The license is valid for one food truck, food trailer or push cart only.
- D. There shall be issued to each vendor a license to be permanently and prominently affix in the vehicle.

§ 225- 6. Fees

- A. All vendors shall pay an annual fee as agreed upon by the Geneva City Council during the budget process.
- B. Replacement licenses shall cost \$10 for each replacement license requested.

§ 225- 7. Revocation of License

- A. The City of Geneva shall have the power to suspend or revoke a license granted or renewed pursuant to this Code for a violation by the vendor licensee, his or her agents or employees of any law, ordinance, rule or regulation of the State of New York or the City of Geneva relating to the conduct of the business or trade for which the license or permit was issued, for fraud or deceit in such business or trade or for making a material misrepresentation on a license application. The City of Geneva shall also have power to revoke summarily the license or permit of any person who pleads guilty to or is convicted of violating the laws of the State of

New York or ordinances of the City of Geneva relating to the business or trade in which the licensee is engaged.

- B. The City of Geneva shall revoke a license in the event that the bond or insurance policy filed at the time of application is canceled or has expired and the holder of the license or permit has failed to file a new bond or policy within 10 days after cancellation or expiration. No part of any license or permit fee shall be refunded in the event that said license is revoked or suspended for cause.
- C. Failure to comply with the terms of a permit as issued by the City Clerk or with this chapter shall result in the denial of future applications for a Mobile Food Establishment License for at least one year.

§ 225- 8. Severability

If any provision of this chapter is declared invalid or unconstitutional for any reason, the remaining provisions shall be severable and continue in full force and effect.

This ordinance shall take effect immediately and in accordance with law.



BOARD MEMBER NOMINATIONS: Board Appointment
FOR CONSIDERATION AT
Geneva LDC BOARD MEETING – March 1, 2023

Appointments: Josh Miller and Kyle Ackart

- The Nominating Committee is recommending Josh Miller to be appointed to the Geneva Local Development Corporation Financial Institution (community lending) board seat for a term of April 5, 2023 through December 31, 2025
 - The Nominating Committee is recommending Kyle Ackart to be appointed to the Geneva Local Development Corporation Financial Institution (construction lending) board seat for a term of April 5, 2023 through December 31, 2025
1. A motion to nominate Josh Miller and Kyle Ackart to the LDC board move by Craig Talmage, second by Peter Gillotte.

Geneva Local Development Corporation

CITY HALL- 47 CASTLE STREET- GENEVA, NEW YORK 14456
www.cityofgenevany.com