

THE GENEVA CITY COUNCIL

JOURNAL OF PROCEEDINGS

REGULAR COUNCIL MEETING

May 1, 2024 – 7:00 PM
City Hall – 2nd Floor Council Room
47 Castle Street
Geneva, NY 14456

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Presiding – Steve Valentino, Mayor

1. ROLL CALL

Present: Clr. Brennan, Clr. Lavin, Clr. Pealer, Clr. Grimaldi, Clr. Gillotte,
Clr. Petropoulos, Clr. Moracco, and Clr. Whitfield

2. EXECUTIVE SESSION

ACTION TAKEN by Clr. Petropoulos; seconded by Clr. Whitfield
MOVED THAT council move to executive session at 6:00pm to discuss matters
regarding proposed pending, or current litigation.
MOTION CARRIED UNANIMOUSLY

ACTION TAKEN by Clr. Gillotte; seconded by Clr. Brennan
MOVED THAT council exit executive session at 6:55pm
MOTION CARRIED UNANIMOUSLY

3. AMENDMENT TO THE AGENDA

ACTION TAKEN by Mayor Valentino; seconded by Clr. Grimaldi
MOVED THAT the agenda be amended to include discussion on committee structure,
and establishing a public hearing and first reading for an Ordinance for Short Term
Rentals; and to remove the resolution Adopting License Fee for Short Term Rental
License.
MOTION CARRIED UNANIMOUSLY

4. PUBLIC HEARINGS

- A. Restore NY – Project # 1
- B. Restore NY – Project # 2

Mayor Valentino opened the public hearing at 7:04pm

Michael Bentley told council that he is a new Castle Street resident, and remarked on the beautiful neighborhood of Castle Hights, who's residents have built up the neighborhood with hard work. He voiced concerns about crime he's noticed in the neighborhood since moving there in March.

With no one else requesting to speak, Mayor Valentino closed the public hearing at 7:09pm.

5. PROCLAMATIONS

- A. Public Service Recognition Week
- B. Proclamation of Sympathy – Deacon Henry Farro

6. PRESENTATION

- A. Quarter 1 Financial Report – Comptroller Newcomb

Comptroller Stefanie Newcomb presented council with the city's first quarter financial report. The general fund, water fund and sewer fund are all tracking in line with projections. Comptroller Newcomb did note that recent water main breaks may put the salary line over, due to overtime, but everything is ok for now. She also noted that the general fund has collected 50% of anticipated revenue for the year, explaining that a good portion of the city's revenue is front loaded in the beginning of the year. 77% of budgeted funds remain in expense lines at the close of quarter one, and expenses are on track. Counselor Lavin wondered where sales tax is for quarter one. Comptroller Newcomb advised that it's a little above projection, and that any surplus goes into a revenue line, to be returned to fund balance at year end. Counselor Lavin noted that the report presented didn't offer a year over year comparison, Comptroller Newcomb will see if a report can be generated with that information. Counselor Lavin requested a dashboard for the layman to review financial reports. Comptroller Newcomb will look into one for the next quarter.

- B. 2025 Budget Forecast – City Manager Hendrix and Comptroller Newcomb

City Manager Hendrix presented an overview of how the budget is created and what we're looking at as we enter 2025, highlighting the Mission, Vision, and Values of the City and strategic priorities of Council which include infrastructure, communication, economic development, intergovernmental/community partnerships, neighborhood improvements and quality of life, fiscal stewardship, and organizational excellence. The budget is a blueprint guiding how city government spends money, and guides how the city pays for activities. The city is required to adopt a balanced budget covering one fiscal year, which in Geneva begins on January 1 and ends on December 31 of each year. City Council's responsibilities in the budget process include negotiation, review, modification and oversight of the city's revenues. The City Manager is responsible for management and delivery of government programs and services, including developing annual proposals to allocate the city's resources through preliminary budget and implementing each year's adopted budget. The 2025 budget process begins May 1 with Council overview and discussion, followed by departmental budget kick off, departmental budgets due to Comptroller in June, reviews and discussions in July, modified departmental budgets due in August, the City Manager budget is delivered to council in September, Public Hearing on Budget on October 2, followed by Council budget workshops throughout the remainder of the month, and final adoption of the 2025 Budget on October 30. Estimated revenues from the 2024 budget were reviewed, as well as city debt, fund balance, tax levy, taxable assessed value of the municipality, tax rate, anticipated revenue changes, anticipated expense changes, anticipated expense changes, and 2025 fixed costs. A sample budget Scenario was reviewed. Counselor Pieler raised questions about the tax rate and assessment of not for profit properties, looking for clarification regarding how these properties impact the tax rate of other property owners. Counselor Grimaldi, a former assessor explained that not for profit properties are counted in

the total assessment, but not in the taxable assessment, put another way, not for profit properties are not part of the tax base if they are not taxable properties. Director West elaborated on the subject to include that if a not for profit owns property that it is renting to a for profit business, that property becomes taxable. Not for profit properties are untaxable only so long as the property is being used in the capacity of not for profit. Counselor Lavin offered a compliment for starting the budget discussion early. He then asked why Geneva's tax rate is approximately 30% higher than Ithaca's and 36% higher than Canandaigua's, and wondered if there could be a dashboard for benchmark cities, showcasing the way they're spending and operating compared to Geneva, and wondered how Geneva got so out of line compared to these cities. Some discussion followed regarding the tax rate versus the tax levy. To wrap up the presentation budget goals were reviewed including smart spending, wise investments, stable revenues and the lowest tax rate in 10 years. At the close of the presentation Counselor Lavin wondered if the tax rate was an impediment to economic development, and the competitiveness to other communities around us. Director West summarized that the City of Geneva has high tax rates due to low property values while having comparable expenses to other communities. He further explained that in comparable cities property costs a lot more, allowing for a lower rate to meet their similar expenses. He also noted that the City's expenses are on the low side compared to similar places like Canandaigua, and that values being so low makes Geneva an attractive place to invest.

7. FOUNDRY UPDATE

Michael Murphy provided the Foundry update, read by the clerk, which said the following:

Remedial Design

- In anticipation of remedial construction during May and June 2024, NYSDEC's engineering contractor completed the remedial design for the State Street staging area based on the results of soil samples collected in late November 2023. This is the final remedial design and final property to be cleaned up as part of NYSDEC's offsite remediation project.

Remedial Construction

- Small excavation areas at properties between Geneva and Genesee Streets were completed and restored, including an area of public sidewalk on Geneva Street. Remediation of two additional residential parcels located on Tillman Street and Clinton Street is substantially complete.
- Replacement plants and trees will be planted at properties that were remediated in 2023 and 2024. Completion of the replacement plantings is expected by the end of June.
- As noted above, remediation of the State Street parcel owned by the City and used as a project staging area will begin in May 2024. Demobilization from the project staging areas on Lehigh Street, Geneva Street, and State Street will be completed in summer 2024.

8. CONSIDERATION OF MEETING MINUTES

ACTION TAKEN by Clr. Gillotte; seconded by Clr. Petropoulos

MOVED THAT the minutes of the April 3rd, April 4th, and April 15th Council Meeting be approved

MOTION CARRIED UNANIMOUSLY

9. PUBLIC COMMENT

Mayor Valentino opened up the floor for public comment at 8:05.

Anne Harvy-Hoyt spoke first, providing the Green Committee's monthly report. She shared that the Mission Zero event was a big success, attended by nearly 500 people, plus about 30 people tabling at the event. Compost bins and shade trees were given away at the event. Anne also reminded everyone of the Seneca Lake Pure Waters rain garden workshop coming up at the library, and requested that Council consider amending code to allow shrubs and wild flowers within 25 feet of any street. She also shared that there is an upcoming event at lakefront park pointing out the rain soils there and the planting plan. Anne asked what Council's intention is with this park, noting that the biggest rain soil was mowed down recently. She further suggested that perhaps a trained horticulturist should take care of the park, and suggested letting BID take care of it.

Pat Schiller spoke next, hoping everyone took advantage of everything Geneva had going on last weekend at the Rec Center, Dove Block, and the Seneca Seven race. She reminded everyone that Memorial Day is coming up, and encouraged visiting the Vietnam Memorial Park in Rochester, where there will be a ceremony remembering those lost from Geneva, and the region. Names will be read off one by one in a very moving and worthwhile ceremony.

Catherine Price spoke next, beginning by passing plant plaques around for Council to review. She then provided the BID update noting that quarter one has been quiet, and the BID is gearing up for quarter two, with several projects to be completed by Memorial Day including placing the new plant plaques that were a joint effort begun last year between the IDA, LDC, and BID. Ms. Price noted that the QR codes on the plaques lead to the BID website, providing information about the plants, and linking visitors at the Visitor Center to points of interest and activities downtown. She also shared that Daisy Hoyt has made a plan for Seneca Street planting, and that the light pole project is on track to be completed by Memorial Day as well. Hometown Heros banners will be up, as well as hanging baskets. She also shared that new American flags are being ordered, with the help of the American Legion's fundraising efforts to fund higher quality flags. Ms. Price also noted that she would be happy to sit with the city to discuss additional man hours at the lakefront.

Michael Monaco shared his concerns regarding the Short Term Rental ordinance, and the struggles he's faced at his home due to the Short Term Rental next door to his home. Mr. Monaco would like to see the parking regulations for STR's match that of traditional Bed and Breakfasts.

Greg Cromer began by displaying an ariel photo of Geneva that he took with his drone on a beautiful September day. He shared how to purchase these ariel photos and noted that the funds he raises from photographing one location turns into a pay it forward, so he can go on to photograph the next location.

Rev. Dr. Phillip Fleming spoke next, sharing that he wears many hats in the community, and the one he wears the most is community engagement. Rev. Dr. Fleming has worked as a peer professional for years, and is wondering about opportunities in Geneva for the peer workforce. He shared that his services would be an opportunity for Geneva, and even elsewhere in the state. He recently started a not for profit 501c4, Hope and Success for the People, who's primary goal is bringing the peer workforce together. As an example, he suggests connecting agencies like Family Counseling of the Finger Lakes and FLACRA together with the people who receive support from these agencies. He additionally noted that he sent documentation to members of Council and is willing to share pace with another agency.

Anya Osatuke spoke next, noting that she wanted to share opinions more than information, stating that she is excited at the proposal to redevelop the site of a vacant building on Castle St. through Restore NY Project 1. She is excited at the idea of mixed use housing and retail and looks forward to having a coffee shop, small grocery, or bodega in her neighborhood.

10. CITY MANAGER REPORT

Solar Eclipse

Initial reports are showing the Economic Impact is estimated at \$1.2M to \$2.4M in gross sales for the City of Geneva

Estimated total visitors for the weekend: 20,000+

No major incidents; complement to the City and County teams.

Police Chief Search Process

Applications are being accepted through the Ontario County Application portal. Qualified applicants must meet the minimum requirements outlined in the job posting, including promotional (internal) applicants, external applicants, and transfers. The city will consider appointing a candidate who is either a provisional candidate (needing to complete the Civil Service testing process) or probationary-permanent (has successfully completed the Civil Service testing process) in nature.

All application materials are due by May 13, 2024 at 12pm. The materials will be reviewed by the City Manager and a team composed of City and Community stakeholders. The stakeholders group will be similar to our other interview panels consisting of representatives from the police department, fire department, city management, school district, higher education, business leaders, non-profit, sheriff's office, and a member of the Police Budget Advisory Board.

The interview process is planned to include an in-person meet and greet with City Leadership Staff and members of the Police Department and an in-person and recorded/streamed Community Forum. For community members that want to participate, the Community Forum will be their opportunity. This forum will be held the evening of May 22 and will be moderated. Attendees will have the opportunity to ask questions and rate the candidates. Following the conclusion of the Community Forum the top candidates may be invited to participate in a follow up interview with the City and Community Stakeholder team.

Hiring at the City

Recruiting seasonal laborers, please visit the City website and apply through the Ontario County Application portal.

County Housing Meeting

Meeting in May/June regarding utilizing the housing study with the County team.

Roadwork Updates

NYSDOT Rte. 5&20 Project: Milling and paving has begun. NYSDOT contact is Jamie Kilmer

Jamie.Kilmer@dot.ny.gov for any questions, comments, or complaints.

NYSEG Gas Main Upgrades- Elm & Colt St.

NYSEG Gas Main Upgrades Garden St., Greenhurst Ave., Nursery Ave.: Restoration work expected to begin 4/29

Castle Street Sanitary Sewer Repairs: Sanitary sewer spot repairs continue between Brook St. and Main St.

Spring Debris Collection

It's Spring Debris Collection time. Residents may place leaves and yard debris between the sidewalk and curb for DPW removal. Please place all leaves grass clippings, weeds and small brush debris in paper bags.

Plastic bags will not be picked up. If interested, the City of Geneva will provide a limited amount of paper lawn/leaf bags which can be picked up at the City Clerk's Office. Yard Debris and Compost may also be brought to the Resource Recover Park during the following times: Wednesday 7:30 AM – 3:00 PM and Saturday 8:00 AM – 12:00 PM.

Public Service Recognition Week

May 5- May 11 is Public Service Recognition week, please celebrate the amazing public servants throughout the City. Each day I am impressed with the work our teams take on, from day to day operations to all the areas they go above and beyond.

Memorial Day Parade

Save the date for the Memorial day parade on Monday, May 27 at 10am.

11. RESOLUTION ADOPTING A PROCESS TO CREATE AND UPDATE CITY POLICIES FOR THE CITY OF GENEVA ADMINISTRATIVE MANUAL

City Manager Hendrix presented the following resolution:

WHEREAS, a best practice for government operations is to have standard operating procedures and policies, and

WHEREAS, city policies currently exist throughout the organization and have been created, yet a standard process for policy creation and updating has not put in place, and

WHEREAS, Council approval (a formal vote) will be required for new policies or for changes to existing policy language, and

WHEREAS, the policy detailed below has been crafted by the respective responsible departments and further offered for review by City staff and leaders of all collective bargaining units, now therefore be it

RESOLVED, on recommendation, that Policy 01-2024 Revising Policies and Procedures Policy is hereby adopted and shall be added to a City Administrative Policy Manual.

ACTION TAKEN by Clr. Gillotte; seconded by Clr. Petropoulos

MOVED THAT this resolution be approved

ROLL CALL VOTE: **Aye – Clr. Brennan, Clr. Whitfield, Clr. Lavin, Clr. Grimaldi, Clr. Gillotte, Clr. Petropoulos, Clr. Moracco, and Mayor Valentino**
 Nay – Clr. Pealer

MOTION CARRIED

12. RESOLUTION TO SUBMIT APPLICATION 1 FOR ROUND 8 OF THE RESTORE NY PROGRAM

David West presented the following resolution:

WHEREAS,

The City of Geneva is eligible for grant funding under Round 8 of the Restore NY Communities Initiative Municipal Grant Program, and;

WHEREAS,

the City of Geneva is considered to be a Moderately Distressed Community by Restore NY criteria which allows pursuit of the Special Project category, and;

WHEREAS,

the City Council has considered proposals that qualify for funding under the program and selected this project to be included in an application that will be submitted to Empire State Development Corporation (ESDC) as follows:

Property 1 – 314 Castle St. consists of demolition of 10,000 s.f. former retail/ grocery store/ commercial use structure (1 story) with remediation of the creek bed and banks under the former structure, reconstruction of a new 22,000 s.f. mixed use building of 2 stories to have retail/ commercial on the first floor with residential (minimum 10 units, affordable housing) on the second floor, retention of the existing laundromat, and reconfiguration of the parking and streetscape areas.

Property 2 - 90 Pulteney St. will create 17 apartments in the former DeSales.

Property 3 – 336 Main Street, the Women’s Club building, contains a total of 9400 sqft. Of which only 1250 is currently occupied. Renovations would include 2400sqft of commercial space and 5750 of residential space, with 1250 sqft that is in use not needing renovation. The project would result in 4 additional housing units being available.

Property 4 – 17 Seneca St. is 5060 sqft and burned in 2023, all 5060sqft will be renovated for a mix of commercial tenants – mostly office.

WHEREAS,

this project is consistent with all existing local plans, the proposed financing is appropriate for the project, the project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities in the City of Geneva.

NOW, THEREFORE BE IT RESOLVED

that the City Council hereby supports and will sponsor an application for Restore NY funding for 314 Castle St, 90 Pulteney St., 336 Main St., and 17 Seneca St., and will administer the grant in accordance with all applicable rules and regulations established by ESDC, and

BE IT FURTHER RESOLVED that the City Manager is authorized to sign the applications and any agreements required by ESDC for grant funding that results from the application.

Clr. Grimaldi wondered if any City is in the mix. Director West noted that there is a mix of State money, no City money is in the mix.

Clr. Lavin wondered what sort of performance obligations there will be for the grant. Director West shared that there will be tracking of affordability for the affordable units related to the 314 Castle Street project.

Clr. Pieler wondered if all units were earmarked for affordable housing. Director West noted that only some of the units at 314 Castle St. will be earmarked as affordable housing. When asked about the former DeSales school building Director West noted that there is no age limit related to that project, which will be high end apartments. He also wondered if all the properties would remain on the tax rolls, which they will.

Clr. Petropoulos wondered if \$8 million is funded for each project, or the total for all related to Application 1. Director West stated that \$8 million is the total state funding for all projects in application 1.

ACTION TAKEN by Clr. Lavin; seconded by Clr. Grimaldi

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY

13. RESOLUTION TO SUBMIT APPLICATION 2 FOR ROUND 8 OF THE RESTORE NY PROGRAM

David West presented the following resolution:

WHEREAS,

The City of Geneva is eligible for grant funding under Round 8 of the Restore NY Communities Initiative Municipal Grant Program, and;

WHEREAS,

the City Council has considered proposals that qualify for funding under the program and selected this project to be included in an application that will be submitted to Empire State Development Corporation (ESDC) as follows:

435 Exchange St. 36,076 sqft, currently 17,047 sqft is occupied. The proposed end use would include 2 renovated ground floor storefronts, 5 renovated apartments, and 10 new apartments in currently vacant area.

WHEREAS,

this project is consistent with all existing local plans, the proposed financing is appropriate for the project, the project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities in the City of Geneva.

NOW, THEREFORE BE IT RESOLVED

that the City Council hereby supports and will sponsor an application for Restore NY funding for 435 Exchange St. and will administer the grant in accordance with all applicable rules and regulations established by ESDC, and

BE IT FURTHER RESOLVED that the City Manager is authorized to sign the applications and any agreements required by ESDC for grant funding that results from the application.

Clr. Pieler wondered if the property related to Project 2 is on the corner of Castle and Exchange, across from the Dove Block heading north? Director West confirmed that it is.

Mayor Valentino noted that the property owner has applied for funds before, and is determined to renovate the property.

ACTION TAKEN by Clr. Lavin; seconded by Clr. Grimaldi

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY

14. RESOLUTION TO APPROVE LAKEFRONT KAYAK VENDOR PROPOSAL

David West presented the following resolution:

WHEREAS,

The Lakefront Park and Seneca Lake are two of Geneva's greatest assets and the City of Geneva wishes to create opportunities for more residents and visitors to fully experience and enjoy the lake, and;

WHEREAS,

the City of Geneva approved the release of a Request for Proposals for a Lakefront Kayak Vendor, and;

WHEREAS,

the City received 3 proposals in response to the RFP, and has carefully evaluated the proposals to choose the one that best serves the Geneva community, providing the maximum benefit through the unique combination of services offered, licensing fee structure, and the highest likelihood of successful, safe operation of kayak vending and associated services with the minimum of ancillary impacts, and

WHEREAS,

this project is a Type 2 action under NYS SEQR as construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, and minor temporary uses of land having negligible or no permanent impact on the environment.

NOW, THEREFORE BE IT RESOLVED

that the City Council hereby selects the Kayak Vendor proposal from _____, and **BE IT FURTHER RESOLVED** that the City Manager is authorized to continue negotiation of the final contract of vending in good faith based on the priorities expressed by Council and the general welfare of the Geneva community and to execute any and all contracts deemed necessary to carry out this program as authorized by Council.

Mayor Valentino began the discussion by noting that being sensitive to the lakeview will be important while making this decision. Along that thread, he noted that Woodard will be using two parking spots for trailers, reducing obstructions of lakeview, and brings experience from Canandaigua Lake. Has concerns about the Pennsylvania company since this is a pilot program, and ownership is important.

Clr. Petropoulos noted that this is his first time seeing this information and, if being asked to make a decision would go with a veteran. He further recommended a special meeting, since he can't in good conscience vote tonight.

Clr. Lavin suggested that Staff should get their arms around this project, and wondered if the Recreation Department should have daily oversight.

Clr. Gillotte shared that he likes the second proposal, reason being that he likes their fee, and it's important that whoever is chosen, they make the area look good, noting the multi colored kayaks.

Mayor Valentino explored the three options to move forward: provide direction to staff, provide direction to staff to make the selection, or table and have more discussion.

Clr. Pieler is in favor of tabling the resolution, and bringing it back at a work session, and noted that proposals are just talk, and only one proposal is already successful in our community.

Clr. Gillotte noted his support for tabling and committing to making a decision at a special meeting.

ACTION TAKEN by Clr. Lavin; seconded by Clr. Pealer

MOVED THAT this resolution be tabled

ROLL CALL VOTE: Aye – Clr. Petropoulos Clr. Whitfield, Clr. Lavin Clr. Pealer, Clr. Grimaldi, Clr. Gillotte, and Clr. Moracco,

Nay – Clr. Brennan and Mayor Valentino

MOTION TABLED

15. RESOLUTION TO ESTABLISH A 2025 BUDGET UTILIZING THE SAME TAX LEVY AS 2-24

Councilor Lavin presented the following resolution:

WHEREAS, the city has undergone a major reassessment; and

WHEREAS, many residents had significant assessment increases;

NOW THEREFORE, BE IT RESOLVED the council directs the city manager to prepare a 2025 budget that will not increase the city's tax levy above the 2024 level as residents adjust to new tax positions.

Clr. Lavin began discussion by noting this opportunity to signal to the community that we get it, we know we have some work to do, and a one year hiatus in the creeping tax rate would be helpful.

Clr. Pieler agreed, mostly, with Clr. Lavin, but disagrees with chaining up the levy, noting that the labor rate is going up, and a significant portion of the city's budget is spent on labor. No levy increase could affect staffing, public safety response time, and create less handling of road repairs, job loss and excessive overtime to name a few consequences. He noted that he has suggested eliminating the salary of City Council in the past. Clr. Pieler further stated that he supports controlling the levy and being mindful of expenses, but not in this manner.

Mayor Valentino noted that the suggestion is admirable, and believes in putting the pros to work. They have shared their 2025 focus, and believes in leaving the ability in staff's hands with council direction, to be efficient, conservative, and still provide the services the citizens of Geneva require. Mayor Valentino briefly explored bonding, and noted that he personally would love to see the tax rate go down.

Clr. Lavin understands the group's sentiment, but notes that that's how we got here. He noted that the city is way out of line because of the tax rate, which will come down due to the increase in assessments. Clr. Lavin further noted that the city needs to stop spending, start making the town stand up with the city, and to start demanding equity from surrounding communities, as he sees the city being taken advantage of. He further stated that council has to start somewhere, and council sets the goals, not staff, further noting that the city needs to align resources with assets. Taxes are too high while the city's range of services isn't as good as other municipalities.

Clr. Petropoulos shared that on principal he is in agreement with Clr. Lavin and Mayor Valentino, to hold staff to higher expectations. He noted that it's up to council to communicate that they're giving staff the opportunity to be creative, and agrees that the town is getting away with a lot regarding water, etc.

City Manager Hendrix clarified that water and sewer are not connected to the tax levy, and that sales tax is divided up via an Ontario County formula, and encouraged other discussions about mutual aid.

Clr. Lavin explained that water and sewer are assets the city can leverage, can have the conversation regarding fire departments combining, and sharing assets to reduce costs for both the town and city.

Clr. Gillotte wondered why council would box ourselves in now, and recommends talking about it throughout the budget process.

Clr Pieler noted that the reason homes are priced low, is related to the economics of the city, noting that average incomes are low, are in negative population growth, the poverty rate is flat or increasing. He reiterated that the city needs to metrically move forward to solve population decline.

ACTION TAKEN by Clr. Lavin; seconded by Clr. Brennan

MOVED THAT this resolution be approved

ROLL CALL VOTE: Aye – Clr. Lavin, Clr Brennan, and Clr. Whitfield

Nay – Clr. Pealer, Clr. Grimaldi, Clr. Gillotte, Clr. Petropoulos, Clr. Moracco, and Mayor Valentino

MOTION DEFEATED

16. RESOLUTION TO PROVIDE STAFF DIRECTION TO REDISTRICT SHORT TERM RENTAL LOCATIONS

Counselor Lavin presented the following resolution:

WHEREAS, residents have opened unlicensed Short Term Rental operations throughout the city, and

WHEREAS, conflicts between Short Term Rental patrons and some permanent residents are occurring, this council agrees to establish a short-term rental licensing program that limits the location of short-term rental licenses to two sectors of the city.

NOW THEREFORE BE IT RESOLVED, City Staff and the City Attorney are directed to draft amendments to the City Code that restrict STR to buildings and apartments in the downtown BID section of the city and along the "row house" neighborhood of South Main Street extending to the 5&20 cloverleaf; and

BE IT FURTHER RESOLEVED, City Staff and the City Attorney are directed to draft amendments to the City Code to establish a "sunset" period after which current operators of the STR outside of the above-referenced areas will no longer be permitted.

Clr. Lavin opened discussion noting that there are 130 homes out of inventory for families and workers, many of whom are out of town investors not managing their properties, which is not a healthy investment in Geneva.

Clr. Petropoulos shared that he recently spoke to a local realtor who advised that the short term rental market is petering out, and isn't what it had been. He believes that the resolution currently being worked on will code problem rentals out of existence, and likes the idea of regulating these rentals and steering new ones downtown, but not forcibly requiring it, and is opposed to sunsetting current owners out of the market.

Clr. Gillotte shared that he is opposed to sunsetting current rentals, but does support restrictions on the number allowed in neighborhoods and encouraging short term rentals downtown.

Clr. Lavin noted that short term rentals in Geneva have been unregulated, the wild west, and that Council is being timid at a time when it can take action to control the situation and protect the city's housing stock.

Clr. Brennan shared that he is himself in the short term rental business having a mix of rentals downtown, on South Main St. and in a neighborhood. He's intrigued by the proposition, as it would solve some of the city's housing issues.

Clr. Whitfield shared that he opposes the proliferation of short term rentals, and believes that their unchecked growth perpetuates a cycle of gentrification where low and middle income families are priced out of their neighborhoods and city. He further noted that displacement erodes the very fabric of our community. The influx of absentee buyers viewing properties as mere investments, not

homes, exasperates the problem, as rentals disrupt neighborhoods, and it's imperative to take a stand against short term rentals.

Mayor Valentino explained his disagreement, as short term rentals came to Geneva legally, purchased properties and conducted business legally in Geneva. The proposed ordinance gives us the ability to control short term rentals. He also reminded the group that there are long term rentals and home owners whom also disrupt neighborhoods. Mayor Valentino went on to remind everyone that if short term rentals don't have good ratings, they won't be seeing much business, and that only the minority of short term rentals are problematic.

Clr. Petropoulos agreed with Mayor Valentino, and suggested refining the proposed resolution to curtail future short term rentals, to use a combination of future restriction and regulation.

Clr. Whitfield shared that those saying the fabric isn't torn in the community due to short term rentals aren't being affected by having them move in. He continued to state that many families are being pushed to the outskirts of the community, and wondered who we are talking about economic growth for.

Clr. Lavin recalled an enforcement discussion at a previous meeting, stating that it's a six month process to revoke a license. Robert Marks reminded the group that once the license is revoked for violations, it remains revoked unless the Zoning Board of Appeals or court overturn it.

ACTION TAKEN by Clr. Lavin; seconded by Clr. Whitfield

MOVED THAT this resolution be approved

ROLL CALL VOTE: **Aye – Clr. Lavin, and Clr. Whitfield**
 Nay – Clr. Pealer, Clr. Grimaldi, Clr. Gillotte, Clr. Petropoulos, Clr.
 Moracco, and Mayor Valentino
 Abstain – Clr. Brennan

MOTION DEFEATED

17. **RESOLUTION ESTABLISHING A PUBLIC HEARING FOR THE FIRST READING AN ORDINANCE ON SHORT TERM RENTALS**

Mayor Valentino presented the resolution on the floor:

NOW, THEREFORE BE IT RESOLVED, that a public hearing for the proposed amendment of the City Zoning Regulations set forth in the attached ordinance be held at the regular Geneva City Council meeting on June 5, 2024.

ACTION TAKEN BY Clr. Petropoulos; seconded by Clr. Pealer

MOVED THAT this resolution be approved

ROLL CALL VOTE: **Aye – Clr. Petropoulos, Clr. Brennan, Clr. Pealer, Clr. Grimaldi, Clr.**
 Gillotte, Clr. Moracco, Mayor Valentino
 Nay – Clr. Whitfield; Clr. Lavin

MOTION CARRIED

18. **FIRST READING OF AN ORDINANCE ON SHORT TERM RENTALS**

Mayor Valentino presented the ordinance for a first reading

Director West summarized recent changes to the Short Term Rental Ordinance including clarifications regarding inspections. There are two types of inspections, an inspection by Code at any time they believe there is a violation, and an inspection related to the application. The definition of dwelling was changed from “one or two” dwelling units in a building, to “one or more.” The final update was adding page numbers.

Additionally, City Manager Hendrix provided the requested cost estimate information:

This is estimated information based on a number of variables.

The number of short-term rentals vary on a monthly basis. The number has been as high as 137 properties.

The amount of time spent with each short-term rental unit will vary. In many instances the entire process from notifying the owners, coordinating visits, and visiting the location will take ~5 hours per unit. Some may take under 2 hours from start to finish and others may take multiple visits and much more time. Depending on the unit size the inspection may occur by a code officer or fire code inspector. We averaged all salaries from administration to support of senior staff to \$50/hour including benefits. The averaged salaries for compliance issues are at a rate of \$65/hour as it may involve public safety or legal services providers as well as the other staff.

Within the current listings, properties have different listings on various sites for the same property with different numbers of bedrooms shown (this could be due to a real additional unit that is rented separately or due to sometime renting out the whole unit and sometimes just part of it). We are estimating between 230 bedrooms and 334 bedrooms with the likelihood of being correct skewing hard toward the lower end.

If there are 230 bedrooms at \$250/bedroom we would generate \$57,500. It's likely we won't get 100% capture and that the number of rooms & units will go down with regulation meaning both some costs and revenues would be less, however it's also likely we may face at least one court case with costs in the \$15k-\$20k.

Revenues

Item	Revenue
230 Bedrooms x \$250/bedroom	\$ 57,500.00
Anticipated Revenue	\$ 57,500.00

Expenses

Item	Expense
Staffing Cost (4-7 hours per property @ \$50/hour) 5 hours x 130 properties	\$ 32,500.00
Mailings/Administration (2 mailings to all properties/printing/reminders)	\$ 1,750.00
Rental Scape License (annual fees)	\$ 7,500.00
Compliance (2-4 hours per 30% of property @\$65/hour) 3 hours x 33 properties	\$ 6,435.00
Potential Litigation	\$ 15,000.00
Anticipated Expense	\$ 63,185.00

ACTION TAKEN BY Clr. Gilotte; seconded by Clr. Moracco

MOVED THAT this ordinance be approved for a first reading

**ROLL CALL VOTE: Aye – Clr. Gilotte, Clr. Brennan, Clr, Pealer; Clr Grimaldi; Clr. Gilotte;
 Clr. Petropoulos; Clr. Moracco; Clr. Valentino
 Nay – Clr. Whitfield; Clr. Lavin**

MOTION CARRIED

19. DISCUSSION ON COMMITTEES

Clr. Lavin began the discussion on committees suggesting that just tonight if there were formal committees, there would have been an analysis of the quarterly financial report, questions would have been answered, and work would have been brought forward to council in the form we think it should be. The discussion on waterfront kayak vendors would have been done at an Economic Development committee, and a recommendation would have been brought forward to council. Clr. Lavin suggested that this isn't a wild idea, it's what all governments do, having committees, which allows counselors to be more engaged in a deeper understanding, bringing a consent agenda to monthly council meetings. He suggested assigning committees with a chair selected by the mayor, and approved by council, with a second council member on each committee. He suggested that committee meetings could be held a day or a week before City Council Meetings, sometimes only lasting 30 minutes. He shared that the City of Rochester, the City of Syracuse, the County of Ontario, and Congress use this form of government, to get items on an agenda for council meetings, where as Geneva is a mom and pop operation in comparison, where the public sees and discovers topics at meetings that go on too long. Clr. Lavin further explained that the way Geneva is handling agenda items and meetings is slow, opaque and exclusionary to the public. He further stated that agenda items are baked before they come to meetings in very private ways. Clr. Lavin admitted that utilizing a committee structure would demand more of council members to filter things coming to council, acknowledging that small towns don't need a committee structure.

Clr. Pealer noted that Ontario County Supervisors are paid substantially more than City Council members, and voiced concerns about accessibility for the working class to represent their wards in Council if there is a move to a committee structure, where they would be required to attend meetings all the time. He further noted that Geneva has a very affordable City Council, and with that goes an expectation that some items coming before council will have to be packaged and digested by professionals, very diligent staff who are leaders in their fields. Clr. Pealer also noted that Geneva is a small city, and counselors take an oath to be at every meeting. He voiced concerns about City Council becoming inequitable if it becomes bogged down in meetings, and only people who work for themselves will have the flexibility to be involved, pushing out the working man, placing power in with a more select few.

Mayor Valentino advised council that if there is interest in moving to a committee based structure, staff will outline the process and bring it back to council.

Clr. Pealer stated that he does not direct staff to increase the bureaucracy of this city by making committees.

Clr. Gilotte voiced concerns about filling proposed committees, as the city has trouble filling the current boards and committees, noting that it's hard to get people involved, there isn't a lot of interest.

Clr. Petropoulos shared his experience serving on city committees and with the Ontario County Board of Supervisors, which has 21 members. Their committees are made up only of elected officials, not civilians, reminding council that they were elected to do the extra work it takes to get the job done, and further explained that unelected people act in an advisory capacity only.

Mayor Valentino looked for direction from counselors, and recalled the challenge to the transfer of power recently in the Police Review Board. He also expected that smaller committees

coming back to the whole council would still need to vet information with the whole of council. Further, he disagrees with the assessment that the current process is opaque, as there is discussion on every item that is brought forward. Mayor Valentino reminded council that they need to do their homework, be prepared for discussion on the floor. Additionally, he noted that staff has provided information on who has committees and how they work.

Clr. Moracco added his concerns about committees creating extra work, while all items being brought forward still need to be fully vetted by all of council at monthly meetings.

Clr. Lavin countered that it took three months to get an organizational meeting together, and the City Manager and Planner via the City Manager still haven't been given their goals for the year, because we hide behind the committee of the whole.

Mayor Valentino reminded Clr. Levin to illustrate the value of the committee for the City's structure.

20. BOARD & COMMISSION APPOINTMENTS

ACTION TAKEN BY Clr. Pealer; seconded by Clr. Gillotte

MOVED THAT Wesley Greco be appointed to the Planning Board

MOTION CARRIED UNANIMOUSLY

ACTION TAKEN by Clr. Gillotte; seconded by Clr. Petropoulos

MOVED THAT Catherine Price be appointed to the Local Development Corporation Board

MOTION CARRIED UNANIMOUSLY

ACTION TAKEN by Clr. Gillotte; seconded by Clr. Petropoulos

MOVED THAT Joan Barnard be appointed to the Recreation Advisory Board

MOTION CARRIED UNANIMOUSLY

ACTION TAKEN by Clr. Gillotte; seconded by Clr. Moracco

MOVED THAT Catherine Price and Jan Regan be appointed to the Industrial Development Agency Board

ROLL CALL VOTE: Aye – Clr. Gillotte, Clr. Brennan, Clr. Whitfield, Clr. Lavin, Clr. Pealer, Clr. Grimaldi; Clr. Moracco; Mayor Valentino
Nay – Clr. Petropoulos

21. MAYOR AND COUNCIL REPORTS

Clr. Brennan shared that Tom Burrall has \$300 from firewood sales for the City from the month of April. The Shade Tree Committee had a very successful day at Mission Zero, giving away a lot of trees, and the Historic Districts Committee will hold their organizational meeting later this month.

Clr. Lavin brought a question from the neighborhood, wondering if food compost and yard debris is being collected. City Manager Hendrix advised that it can be dropped off on Wednesdays and Saturdays.

Clr. Pealer shared that the Planning Board met last month, summarizing their meeting where they approved a Photovoltaics project, the DeSales project is moving forward, and there was some discussion and relief that the special use permit language was removed from the Short Term Rental Ordinance. Clr. Pealer wondered if the BID or American Legion might offer fireworks this Fourth of July at Lakefront Park. He also wondered about giving the Green Committee Chair and BID President a different time to speak at council meetings, where they would not be limited to 3 minutes.

Discussion followed, and Mayor Valentino recommends that they remain with public comment, and be given some leeway with time, rather than holding them to the end of the meeting.

Clr. Grimaldi advised that the Housing Authority meeting went over scatter housing at their last meeting, and they are in the process of renovating a few apartments at a time, which seems to be going well.

Clr. Gillotte shared that the BID is in the midst of 25 events, currently promoting a wine event on Linden, and the Garlic Festival, to name a few. He also shared that there are several new and relocated business downtown including Hudson Hat Company, Hernandez Market has moved, Ester Son's Kitchen is now open, Murphy's Market moved across the street, a new card shop, and GI Cards & Collectibles is set to open, The Sideshow has reopened. He also noted that First Friday's are back this summer in partnership with the BID and Dove Block. Cruzin Night will be held on July 26, and Kayak Paddlefest is on June 29.

Clr. Petropoulos shared some highlights of the LDC's meeting today, and welcomed Catherine Price to the LDC. The group is creating small groups to concentrate on housing, small businesses, and community amenities. The upcoming tunnel mural was discussed and should be done this summer. Additionally, there is an Eagle Scout bench project for veterans, which will have a plaque for the veterans suicide prevention hotline phone number on it. The bench will be placed at the 911 memorial. Clr. Petropoulos shared feedback he gathered on the eclipse from visitors to Geneva, who thoroughly enjoyed Geneva. He shared that it was really good for business as well, and applauds city staff on an incident free day.

Clr. Moracco appreciates how helpful and accessible everyone has been, as he has a big learning curve, while learning the process of City Council.

Clr. Whitfield shared updates from the Rec Department, which had a great month. They hosted several lacrosse practices and games, the Kanadasaga Dog Show, Role Model and Career Day, Mission Zero Event, and a great spring break program for 5–11-year-olds. Soccer Tots starts this coming Monday, and there are still spots available. They'll be hosting a home show on Friday and Saturday, and summer rec program sign ups are on the website. The next Recreation Committee meeting is on May 21.

Mayor Valentino recently met with Tom Harvey and Julie Barry from Ontario County Economic Development Department to review the current status of the Steering Committee for the Ontario County Rail Corridor Development corridor 2. Initial work with the consultant has established data for evaluation, overall goal to review and analyze data and provide recommendations leading to economic development opportunities from rail improvements including the City's rail yard north of 5 & 20. The next Steering Committee meeting is being scheduled; next steps will be community meetings. Dan Wheeler urges counselors to participate in the Memorial Day Parade, reach out to Dan to make arrangements. Mayor Valentino met recently with Hobart William Smith and The Geneva Redwings for a collaborative meeting regarding McDonough Park use and maintenance. He added that the park will be in use from January through the summer, and it's nice to see the NCAA utilizing the facilities there. Due to the 5&20 reconstruction there are more traffic issues in that area, avoid if possible. Mayor Valentino thanked Council for their attendance and efforts at getting up to speed. The enthusiasm and professionalism is refreshing, and moving Geneva in a positive direction. Mayor Valentino offered a very special thank you to Mary Beniamino for the generous donation so the Hometown Heros banner project could be completed.

22. ADJOURNMENT

ACTION TAKEN by Clr. Pealer; seconded by Clr. Petropoulos
MOVED THAT the meeting be adjourned at 10:31pm
MOTION CARRIED UNANIMOUSLY

Nicole Tillotson

City Clerk