

THE GENEVA CITY COUNCIL
JOURNAL OF PROCEEDINGS
REGULAR COUNCIL MEETING

January 8, 2025 – 7:00 PM
City Hall – 2nd Floor Council Room
47 Castle Street
Geneva, NY 14456

Presiding – Steve Valentino, Mayor

1. EXECUTIVE SESSION

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

MOVED THAT council move to executive session at 6:30pm to discuss the employment history of a particular person; and pending litigation

MOTION CARRIED UNANIMOUSLY (7-2; Clrs. Whitfield and Moracco absent)

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

MOVED THAT council exit executive session at 7:01pm

MOTION CARRIED UNANIMOUSLY (7-2; Clrs. Whitfield and Moracco absent)

2. ROLL CALL

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

Absent: Clr. Moracco

3. PUBLIC HEARING - Sale of City Owned Property

Mayor Valentino opened the public hearing at 7:03pm. With no comment offered at this time, he closed the public hearing at 7:04pm.

4. PUBLIC HEARING - Sharing Results of the MAP Grant Program

Mayor Valentino opened the public hearing at 7:03pm

Director West provided an update on CDBG Project #448ME520-22, Micro-enterprise Assistance Program to include that as of today \$138,002.05 of the funds have been expended and reimbursed by the State. The remainder has been expended and will be reimbursed by the State by the project close date of January 31, 2025. He further shared that there were nine applications for funding, with six businesses being supported. Three were new businesses with two receiving \$21,000, and one receiving \$30,000, for a total of \$102,000 going to support new businesses. Additionally, two existing businesses received \$21,000, and \$30,000, for a total of \$51,000 going to support existing businesses. Awarded funds are supporting four low/moderate income owners, while two jobs were created for low/moderate income staff members in the community. Three businesses are currently open, and three are expected to be open by mid-February. None of the project activities have resulted in or will result in displacement.

With no one else requesting to speak, Mayor Valentino closed the public hearing at 7:15pm.

5. PUBLIC HEARING - Reducing the Planning board from Nine to Five Members

Mayor Valentino opened the public hearing at 7:06pm. With no comment offered at this time, he closed the public hearing at 7:06pm.

6. PUBLIC HEARING - Reducing the Zoning Board of Appeals from Seven to Five Members

Mayor Valentino opened the public hearing at 7:06pm. With no comment offered at this time, he closed the public hearing at 7:07pm.

7. PROCLAMATION - Martin Luther King, Jr. Day

8. PRESENTATION - Short Term Rental Update, City Manager Hendrix

City Manager Hendrix shared Short Term Rental background information to include that In June of 2024, short term rental regulations were adopted by the Geneva City Council. These regulations require owners to identify the operator, acquire a two-year permit for each dwelling unit, maintain certain code requirements which may include a property inspection, and pay a permit fee of \$250 per bedroom. She further explained that the online system has been tested and finalized. Property owners will soon be able to apply through a portal on the City's website. Once the portal is active all current property owners will receive mailing with information about accessing the portal. Owners will submit a permit application form, and Code Enforcement Officers will review the properties before granting the permit. The City will follow the published International Code Council FAQ for Short Term Rental (STR) inspections. In 1–2-unit buildings the building will be inspected under International Residential Code (Code), and in buildings with three or more units they will be inspected under International Business Code (Fire). Inspections will begin in January or February. City Manager Hendrix further shared that RentalScape showed that on December 30, 2024 there were 156 total properties listed between December, 2023 and November, 2024, with 97 properties being active as of December 30, 2024. In December, 2024 the occupancy rate was 14%, while the highest occupancy rate was in July, 2024 at 35%. The rental make up includes 30% studio spaces, 20% two bedroom, 21% with three bedrooms, 29% with four bedrooms, and 7% of the rentals occupy a room in an occupied home. Host revenues between December 2023 and November 2024 was \$1.5 million, down \$82,000 from the December 2022 through November 2023 figures. The City Manager further explained that new legislation was adopted by the State Legislature regarding occupancy taxes for short-term rental via bill S885C/A4130, and noted that the City is awaiting further roll out information from NYCOM. The legislation will create the nation's first statewide short-term rental registry, designed by legislators to ease the housing crisis. The law defines a "short-term rental unit" as a residential unit rented for under 30 days. Property owners or operators of short-term rentals must register with the Department of State or a municipal system. Any booking service that facilitates such rentals also has to verify registrations and registration numbers, and remove any listings for unregistered properties. The legislation gives cities, towns, villages, and hamlets – and the Attorney General – explicit power to enforce compliance through legal action against violators, and mandates that booking services share their data and collect taxes. The data will be sent to municipalities where the properties are located. The City is awaiting the process for this roll out and working to better understand municipal authority under this new law.

Councilor Pealer wondered how the City will qualify host revenue. City Manager Hendrix explained that the RentalScape software will generate those figures. Councilor Pealer then wondered if State legislation would undo local legislation. The City Manager explained that adopted local legislation supersedes State legislation, noting that municipalities can elect to move to the State system in the future. Councilor Pealer then wondered how owner-occupied single room rentals are handled. City Manager Hendrix explained that if the property owner is renting a single bedroom, they register as a one room rental, further explaining that that information is available

through the City's RentalScape. Councilor Lavin then wondered if there have been any complaints about parties, or licensing issues; there have been none. Chief Eveland shared that complaints related to short-term rentals have mostly been quality of life based, parking, noise, etc. Mayor Valentino thanked staff, this council and previous council for the work done to stay ahead of the curve on short-term rentals.

9. PRESENTATION - Update on Traffic Review, Chief Eveland and Director Venuti

Director Venuti addressed several local intersections, each of which has had a complaint. He explained regulatory guidance from the US Department of Transportation, Federal Highway Administration through the Manual of Uniform Traffic Control Devices (MUTCD), noting that parking and regulatory signage guidance is found in Chapter 2B. He further explained that City Codes 335-17 Parking, Standing and Stopping Restrictions is where you can find current city-wide regulations.

The first complaint reviewed was High Street, at the intersection of Elmwood Place and Grove Street. The concern related to a vehicle parked on the north side between Elmwood Place and Grove. GPD records indicate no motor vehicle accidents and no pedestrian strikes in this area. Current code on Elmwood Place includes no parking on the west side 306 feet north of High Street; no parking on the west side of Grove Street; no parking on the south side of High Street from east curbline of Grove Street, 164 feet easterly; no parking on the north side of Grove Street between Pulteney and Elmwood Place. Recommendations include bringing a resolution to Council to amend Ordinance and extend no parking on the north side from Pulteney to Grove Street from west curb line of Elmwood Place 110 feet westerly. Councilor Pealer wondered if this change should be a priority with no accidents reported. Councilor Brennan wondered if there is any harm in creating a no parking zone. Chief Eveland explained that it would create a hardship for rental residents, and explained that the statistics don't support making any changes in this area.

Director Venuti reviewed the second complaint in the area of East North Street at the intersection of Wadsworth and Herbert Street. A resident has issues with vehicles parking at businesses, on street over Marsh Creek and the neighborhood sign, as well as Dunkin development. He explained that there was one motor vehicle accident in the area involving a DPW vehicle during Herbert Street reconstruction, and no reports of pedestrian strikes in this area. Current Code on East North Street includes no parking on the south side between Wadsworth Street and a point 150 feet east of Marsh Creek Bridge; no parking on North Street on the north side from the east curbline of Exchange Street for a distance 210 feet easterly; no parking on the south side of North Street from the east curbline of Exchange Street for a distance of 210 feet easterly; no parking on the west side of Herbert Street from the south curbline of East North Street to a point 40 feet southerly. Director Venuti recommends bringing a resolution to Council to amend the Ordinance and remove no parking on the south side of East North Street between Wadsworth Street and a point 150 feet east of Marsh Creek Bridge; extend no parking on both the north and south sides of East North Street from the east curbline of Exchange Street to a point 20 feet east of the Marsh Creek Bridge, and potentially allowing one 15-minute parking spot for Saglimbeni's and T-Mobile/Sams Mini Mart.

The third area of concern is Washington Street at the intersection of Nursery Ave. and Copeland Ave. with vehicle parking on the north side of Washington Street. Police records indicate one motor vehicle accident and one pedestrian strike in the area. Current Code includes no restrictions on Nursery Ave. in this area; no parking on the east side of Copeland Ave. from the south curb line of Washington Street to a point 200 feet southerly; no parking on the north side of Washington Street from the west curbline of Nursery Ave. to a point opposite the west curbline of Copeland Ave.; and no parking on the south side of Copeland Ave. to a point 60 feet easterly. Director Venuti recommends bringing a resolution to council to amend the Ordinance to add no parking on the east side of Nursery Ave. from the north curbline of Washington St. for a distance of 40 feet northerly, and no parking on the west side from the north curb line of Washington St. for a distance of 100 feet northerly; no parking on the north side of Washington St. from a point 30 feet from the east curbline of Nursery Ave. to a point opposite the west curbline of Copeland Ave.; no parking on the south side of Copeland Ave. on the south side from the east curb line to a point 30 feet from the east curbline of Nursery Ave. Director Venuti noted that if there

are still sight distance concerns in the area, Code 100-1 Control of Growth could be explored at the property located at 380 Washington St., as harmful vegetation including shrubs, hedges and trees to encroach onto public sidewalks and lines of sight of public roadways are prohibited. Discussion followed around the outcome of adding parking regulation with the vegetation in place at the corner.

The last area of concern is on South Main Street, related to crosswalk sight distance from William St. to Park Place and posted speed limits between Seneca St. and Jay St. Police records indicate one motor vehicle accident and one pedestrian strike in this area. DPW has already installed No Parking signs between signs for the crosswalk near North Park Place, allowing for 20 feet of sight clearance on either side for northbound traffic. Current Code 355-14 Maximum Speed Limits 30MPH is established as the maximum speed at which vehicles may proceed on or along highways within the city except on Hamilton and Lochland Rd. (35MPH), the Arterial Highway (45MPH) and South Exchange by the Rink (10MPH). Director Venuti's recommendations for this area include bringing a resolution to council to amend the Ordinance to define a section of South Main St. from William St. to Jay St. to have a speed limit exception, perhaps lowering it to 25MPH, and investment in rapid flashing beacons solar units at the six crosswalks in the area, one on each side of the street at an estimated cost of \$120,000 - \$140,000.

Chief Eveland provided City Council with the Radar Trailer Reports for a speed study in mid-November, covering 24 hours of southbound traffic and 24 hours of northbound traffic. The Police Chief explained that he has been working closely with Director Venuti to address parking concerns on High St. and Washington St. as well as concerns on South Main St. regarding pedestrian safety and speeding vehicles. Chief Eveland had nothing to add to Director Venuti's reports on High and Washington Streets, but did have more input related to the South Main Street complaints. He explained the speed study utilizing Geneva PD's radar trailer, noting that the trailer can only record speeds of vehicles as they approach the trailer, and not going away. The trailer was deployed along the curb on South Main St. between St. Clair St. and Jay St, noting that this location was chosen as it is less congested and would have less interference than other locations. He explained that speed of the target vehicle, and reflective capability of the target vehicle can affect what the radar records. On November 14, 2024 the trailer was deployed to record south bound traffic for 24 hours beginning at 4:00pm. A total of 4,375 vehicles were recorded, 491 of those were operating above the posted speed limit, the average speed was 29 mph, 484 vehicles were recorded traveling between 36-45 mph, and four vehicles between 46-55 mph. There were also two vehicles reported traveling over 66mph, with the highest being 78mph. Chief Eveland explained that these were likely not accurate, and believes this to be an issue of two vehicle speeds being batched together. On November 15, 2024, the trailer was deployed to record north bound traffic for 24 hours beginning at 10:00pm. The radar trailer recorded 3091 vehicles, of which 328 were above the speed limit. The average speed was 30 mph, and 325 vehicles were between 36-45 mph. Given the findings of the speed study in this location, officers will pay special attention to speed enforcement in this area. Chief Eveland noted that he is in agreement with Director Venuti that eliminating parking spaces closest to crosswalks will help enhance the visibility of pedestrians attempting to cross. Chief Eveland also noted that since 2014 there have been a total of 56 pedestrians struck by motor vehicles in the City, and 5 of those occurred on South Main Street. One of those occurred in 2024, and prior to that one was reported in 2021.

Councilor Lavin expressed concern regarding 16-18 wheelers, wondering if the Police Department can deter larger truck traffic, and asked to remove parking from South Main Street. Chief Eveland explained that the safe road maintained by the municipality can change parking. Councilor Lavin suggested letting it be known that the City will be checking trucks books because it can. Chief Eveland explored enforcement strategies, including "Speed Week," noting no good place to run radar in the area because patrol vehicles will be visible. Councilor Brennan suggested flashing fixed speed signs on South Main Street, discussion followed. Councilor Petropoulos thanked Chief Eveland for the stats, and wondered what the same area would look like in the summer. Councilor Pealer noted his support of removing parking spaces adjacent to crosswalks to improve pedestrian visibility, explaining that is the only recommendation he's in support of. Director Venuti noted that the clover leaf will be on the 2025 street improvement program. Councilor Lavin raised concerns with that area as well. Discussion followed.

10. Presentation - Police Budget Advisory Board Overview – Chair Noone and Secretary Elliott-Engel

Chair Noone reviewed the current composition of the Police Budget Advisory Board and explained how the current board is creating structure, organization, and becoming educated on many topics. Secretary Elliott-Engel then reviewed the PBAB's brief history since its conception in 2020. She noted a special focus on adding mental health co-response along side Police Officers. Chair Noone shared a goal of being more engaged with City Council, to work on initiatives and advocate for the needs of the Police Department, especially at budget time. He expressed concern for patrol vehicles wear and tear from constantly running as an example, and the recommendation to bring on co-responding mental health response personnel. Chair Noone expressed concern about staffing levels, including two vacant Police Officer positions, noting DCJS's recommendation of a 34-officer department. He additionally recommended an increase in walking and bike patrols as a visible police presence is a crime deterrent. The Police Budget Advisory Board would like to explore incentives to bring new recruits and transfers to Geneva, wondering if a K-9, Drone, or Marine Recreational Division would incentivize new recruits. Secretary Elliott-Engel reviewed the records management transition to the County system, noting that this will need to be revisited in a few years when the County moves away from their current system. She explained that current RMS does not extract certain data points that are required for many grants, limiting what the Police Department can currently apply for. Secretary Elliott-Engel then described the range, its value to the department, and the upgrades it needs.

Discussion followed related to department staffing and vacancy numbers. City Manager Hendrix then explained the extra expense that would be incurred to go it alone with records management, highlighting the savings the City benefits from by working with the County. Councilor Lavin commended the work police officers do, noting that it's common to have a mental health co-response, and noting that this board sounds like the kind of committees the city needs to sift through information. Mayor Valentino thanked Chair Noone and Secretary Elliott-Engel for their efforts and presentation.

11. CONSIDERATION OF MEETING MINUTES

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

MOVED THAT the minutes of the November 20, 2024, December 3, 2024, December 4, 2024 and December 17, 2024 Council Meetings be approved

MOTION CARRIED UNANIMOUSLY (8-1 absent)

12. PUBLIC COMMENT

Charmaine Gallagher introduced herself as a Geneva native, offering comment on parking on South Main Street. Mrs. Gallagher described parking challenges that elderly relatives experience on South Main Street, including difficulties parking near their home, and accessibility as they have experienced mobility issues leading to the use of wheel chairs. She also explained the difficulties visiting nurses have getting in and out. Mrs. Gallagher acknowledged the importance of pedestrian visibility, but noted that the parking spaces the City is taking away won't stop people from limiting their own visibility by wearing black or crossing outside of designated crosswalks. She expressed concern for residents in the area, and the eight parking spaces taken away from people trying to get into and out of their homes. Mrs. Gallagher wondered if reflective strips at cross walks or angled parking might be better alternative solutions.

13. CITY MANAGER REPORT

City Manager Hendrix provided the following report:

Storm Task Force Priorities

Task force members and staff worked through prioritization of their recommendations. Again, thank you to the task force who worked on developing a plan of recommendations for City Council.

Priority One: Maintain our Current Systems

Ongoing Storm and Sanitary Sewer System Maintenance

Effective maintenance of storm and sanitary sewer systems is crucial for ensuring the efficient management of water flow and preventing flooding. These items have been included in previous budgets and workplans and should continue to be priority each year with allocations of funding and time by our Department of Public Work staff and consultants.

Ongoing Support of the Emergency Response Trailer

In 2024, the City of Geneva purchased an Emergency Response trailer that is located at the Geneva Fire Department. Maintaining an emergency response trailer for storm events is crucial for ensuring that our emergency teams are prepared to respond efficiently and effectively when disaster strikes. A well-maintained trailer can be the difference between a rapid, organized response and a chaotic, delayed one.

Priority Two: Digitization of City Storm and Sanitary Systems and System Inspection Records

Although implementing a comprehensive mapping and digitization system may require considerable time and financial investment, we recommend exploring an internship opportunity in 2025. This would allow a student to collaborate with the Department of Public Works on GIS mapping. The costs incurred by the City would primarily involve GIS programming, which is already budgeted, along with staff time dedicated to supervising interns, intern stipends, and managing collected information.

Priority Three: Municipal and Businesses Engagement and Collaboration for Water Retention Initiatives

Staff members should continue and expand their collaborations with other municipalities and businesses in a collaborative approach which invests in water retention strategies. This collaboration should be made a priority and at least 40 hours allocated annually from the City Manager's Office, Department of Public Works, and Planning and Economic Development Department to continue shared initiatives.

Priority Four: Ordinance Review and Update

The City staff and members of council should commit to a review of ordinances to ensure they are conducive to effective storm water management. This review can help mitigate flooding, improve water quality, and enhance the city's resilience to extreme weather events. Two ordinances that should be reviewed are an ordinance related to sump pumps and impervious soils, to reduce runoff.

Priority Five: Educational Materials & Community Engagement

Resources should be directed at updating the Cities communication channels with additional information regarding storm mitigation. Resources would be needed for the creation and development of materials that can be easily pushed out by the City. Production costs are estimated at \$8,000 plus resources for staffing for creation of the materials.

Once materials are created, they can be distributed through community engagement activities city departments participate in.

On-Going Priority: Daylighting of Castle Creek

The task force realizes that daylighting of the creek is a long-term solution that would take many years to finalize and achieve. It is recommended that City Staff develop a plan of action for obtaining the properties that sit over castle creek with a vision of daylighting the creek. A reserve account could be developed for these purposes to show commitment to this effort.

Tax Bills

City Tax Bills have been sent out. The City of Geneva bills are correct and no additional bills will be sent for City of Geneva residents. The tax rate is \$12.16/per thousand dollars of assessed value. The increase in home values have led to increases in taxes. The City is at 100% equalization rate.

Winter Weather

Crews have been plowing and applying de-icing materials and the temperature has been below freezing for several days. No winter parking restrictions have been utilized.

Please encourage the use of weather event text alert sign up.

Christmas Trees

Crews are still picking up holiday trees. We encourage residents to place trees in front lawn by curb but not in the road. Trees can also be brought to Resource Recovery Park on Doran Ave Wednesdays 7:30 to 3:00 and Saturdays 8:00 to 12:00. Trees will be recycled into mulched and free mulch piles will be available for residents in the spring.

CODE ENFORCEMENT ANNUAL NUMBERS

2024 Building Permits

- 264 Permits (7 fewer than in 2023)
- Projected improvement value based on applications \$13,111,050

Upcoming Work Session on Strategic Thinking will be on January 16 at 5:30pm

This is a meeting of council and department heads to finalize 2025 goals for the City.

Councilor Pealer shared that he liked the Storm Task Force priority areas, and wondered how the City Manager felt about them. City Manager Hendrix stressed the need to continue resource funding for what the City is already doing, and would like funding for everything. She suggested setting up a fund to daylight Castle Creek. Councilor Petropoulos doesn't expect daylighting Castle Creek to happen anytime soon and suggested shoring up the banks of the creek. Councilor Lavin requested quarterly financial reports and wondered if there was any change in where funds are invested. He also requested overtime reports to include who is approving overtime. Comptroller Blowers reminded Council that financial reports were sent out earlier this week, which included overtime, but not approvers, and investments. He noted that the money market account doesn't have much in it at the moment. Councilor Lavin then raised questions about using out of town resources for City investments of surplus dollars and wanted to know why funds were moved out of the City. City Manager Hendrix cleared up confusion, stating that no surplus is being moved and all funds are accounted for at all times. Discussion followed.

14. RESOLUTION – Authorizing the Sale of City Owned Property

City Manager Hendrix presented the following resolution:

WHEREAS, the City of Geneva owns real property located adjacent to CCN International Inc properties on Lehigh Street (90.15-4-66); and

WHEREAS, the Geneva City Council has deemed that a portion of the property of 0.568 acres no longer serves a public purpose and should be sold to a private party; and

WHEREAS, staff has reviewed private interest in this property and is in the process of subdividing the property via the Planning Board; and

WHEREAS, if a proposal is determined to be in the best interest of Geneva residents, City Council anticipates the sale of the property to the longstanding City partner CCN International, Inc. at a cost of no more than \$19,000.

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 adjacent to CCN International (90.15-4-66).

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

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (8-1 absent)

15. RESOLUTION – Adopting a Negative Declaration of Environmental Significance for the City of Geneva's Zoning Map Amendment Expanding the CB-5 Zone

Director West presented the following resolution:

WHEREAS, the City of Geneva declared Lead Agency in the review of the ZONING MAP AMENDMENT EXPANDING THE CB-5 ZONE; and

WHEREAS, the City Council has determined that the proposed adoption qualifies as a Type 1 Action under SEQRA based on 6 CRR-NY 617.4; and

WHEREAS, the ZONING MAP AMENDMENT EXPANDING THE CB-5 ZONE will not allow significant change in use or new construction without further review/permitting subject to SEQR; and

WHEREAS, ZONING MAP AMENDMENT EXPANDING THE CB-5 ZONE is a re-zoning. Any substantial new construction will undergo its own environmental review that will be no less protective of the environment and will assess any impacts on community-provided services.; and

WHEREAS, the Ontario County Planning Board did, in December of 2024, review the proposed rezoning and vote unanimously in support of the proposed changes; and

WHEREAS, the City Council of the City of Geneva has reviewed the Full EAF Part 1 New York State Environmental Quality Review Act ("SEQRA") form; and

WHEREAS, the Geneva City Council with support of professional staff has completed Parts 2&3 (EAF Part 2&3) of the required NY State Environmental Quality Review Act (SEQRA) forms providing all relevant information, verifying its completeness and accuracy;

WHEREAS, the City Council has determined that the proposed adoption will have no or small environmental impact on every impact category in the Full Environmental Assessment Form Part 2 and elaborated on the reasoning behind Part 2 in Part 3.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Geneva, New York that the ZONING MAP AMENDMENT EXPANDING THE CB-5 ZONE will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, the City Council issues a Negative Declaration of Environmental Significance under SEQR and directs the City Manager to affix their signature to the FEAF Part 3 form.

BE IT FURTHER RESOLVED by the City Council of the City of Geneva, New York that the City Clerk should file the Negative Declaration of Environmental Significance in the NYS Environmental Notice Bulletin as required by law.

Councilor Brennan wondered what the impact of 3 versus 5 stories would be visually on Exchange Street, and wondered about the OEO site, as one story would be below grade, would five stories be measured from floor one below grade? Director West explained that OEO has been zoned for 5 stories since last year, and isn't impacted by this update. Councilor Brennan then wondered if there would be a study related to line of site. Mayor Valentino explained that a study was done years ago, and that it was found that there would be minimal impact to site lines on South Main Street. Director West explained that there will be buildings in view, but the lake view will still exist as well. Councilor Petropoulos expressed concern about new buildings being build in a more modern fashion, not matching the historical architecture of downtown.

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

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (8-1 absent)

16. SECOND READING – Zoning Update Expansion of CB-5

Director West presented the following ordinance:

Be it **ENACTED AND ORDAINED** by the Geneva City Council, as follows:

Section 350 of the Geneva City Code be amended to reference the attached map extending the boundaries of the CB-5 Zone to include additional properties within Downtown in recognition of the area's important and historic contribution to downtown Geneva's walkability and accessibility and to increase the value of future development for the benefit of all Genevans;

and it is further

ENACTED AND ORDAINED that the attached map shall be the authoritative document defining the boundaries of Zoning Districts in the City of Geneva, that interpretation of this map shall conform to Geneva City Code Section 350-1.3 Interpretation of District Boundaries; and it is further

ENACTED AND ORDAINED, that this amendment to the Geneva City Code is adopted pursuant to the New York State Constitution, Municipal Home Rule, General City Law, and the City of Geneva's police power to regulate the use of land and structures for the protection of the health, safety, welfare, comfort, peace and prosperity of the City and its inhabitants, and it is further,

ENACTED AND ORDAINED, that this amendment to the Geneva City Code is adopted in conformance with the Geneva City Comprehensive Plan in furtherance of the City's values--which include stewardship of natural resources, a strong economy, its "uniquely urban" setting and sense of community, multicultural heritage and the local arts, architectural and recreational assets--with its vision of being a "Beautiful, Prosperous, Equitable, Connected, and Sustainable" City.

Effective Date

This Ordinance shall take effect immediately upon adoption by the City Council.

Director West explained the SEQR to Council, provided to and reviewed to the mas lead agency.

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

MOVED THAT this ordinance be approved

MOTION CARRIED UNANIMOUSLY (8-1 absent)

17. LOCAL LAW – Amending the City Charter and the City Code to Reduce the Membership of the Geneva Planning Board from Nine to Five Members

Clerk Tillotson presented the following local law:

BE IT ENACTED, by the City Council of the City of Geneva, Ontario County, State of New York, as follows:

Article I. General Provisions

Section 1. Authorization

The adoption of this local law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section 2. Legislative Finding and Purpose

The City Council hereby finds that the Planning Board is having difficulty reaching a quorum in order to conduct regular business, in part because the requirement of having nine (9) members is too high for the Planning Board to be fully constituted.

The purpose of this local law is to amend the City Charter and to amend the City Code in order to reduce the membership of the Geneva City Planning Board from nine to five in order to align the Planning Board membership with General City Law Section 27(1), and to better serve the public interest by facilitating the ability to establish a quorum at Planning Board meetings in order to conduct Planning Board business.

Section 3. Effect of Reduction of Planning Board Membership

Reduction of the membership of the Planning Board shall take effect as directed in General City Law Section 27(7) (i.e. upon the expirations of terms next occurring). No incumbent shall be removed from office except upon the expiration of his or her term, except as provided by the City Charter or General City Law.

Section 4. Validity and Severability.

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 5. Inconsistency.

All other local laws and ordinances of the City of Geneva that are inconsistent with the provisions of this ordinance are hereby repealed provided, however, that such repeal shall only be to the extent of such inconsistency. In all other respects, this Local Law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered herein.

Section 6. Effective Date

This Local Law will take effect immediately upon filing with the New York Secretary of State.

Article II. Amendments to the City Charter of the City of Geneva

City Charter Sections 13.3(1) and (2) shall be amended as follows:

The first sentence of Charter Section 13.3(1) henceforth read:

The Planning Board shall consist of five (5) members appointed by the Mayor and approved by City Council, each for a term of three (3) years.

Charter Section 13.3(2) shall henceforth read:

The Planning Board Chairperson shall be appointed by the Mayor and approved by City Council. In the absence of the Chairperson the Planning Board may designate a member to serve as Acting Chairperson until a Chairperson is appointed as provided herein.

Any other sections of Section 13.6 not amended as provided herein shall remain in effect.

Article III. Amendments to the City Code of the City of Geneva

City Code Section 350-19.2(B) shall be amended to read as follows:

B. Membership and terms.

- (1) The Planning Board shall consist of five members appointed by the Mayor and approved by the City Council. The Planning Board Chairperson shall be appointed by the Mayor and approved by City Council. In the absence of the Chairperson the Planning Board may designate a member to serve as Acting Chairperson until a Chairperson is appointed as provided herein.
- (2) Any vacancies shall be filled by appointment by the Mayor and approved by City Council for the unexpired portion of the term.
- (3) The terms of the members of the Planning Board shall be three years.
- (4) Removal of members and the designation of alternates shall be addressed as provided for in the New York General City Law.
- (5) The members shall serve without compensation.

Any other sections of Section 350-19.2 not amended as provided herein shall remain in effect.

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

MOVED THAT this local law be approved

MOTION CARRIED UNANIMOUSLY (8-1 absent)

18. LOCAL LAW – Amending the City Charter and the City Code to Reduce the Membership of the Geneva Zoning Board of Appeals from Seven to Five Members

Clerk Tillotson presented the following resolution:

BE IT ENACTED, by the City Council of the City of Geneva, Ontario County, State of New York, as follows:

Article I. General Provisions

Section 1. Authorization The adoption of this local law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section 2. Legislative Finding and Purpose

The City Council hereby finds that the ZBA is having difficulty reaching a quorum in order to conduct regular business, in part because the requirement of having seven (7) members is too high for the ZBA to be fully constituted.

The purpose of this local law is to amend the City Charter and to amend the City Code in order to reduce the membership of the Geneva City Zoning Board of Appeals (ZBA) from seven to five in order to align the ZBA

membership with General City Law Section 81(1), and to better serve the public interest by facilitating the ability to establish a quorum at ZBA meetings in order to conduct ZBA business.

Section 3. Effect of Reduction of ZBA Membership

Reduction of the membership of the ZBA shall take effect as directed in General City Law Section 81(6). No incumbent shall be removed from office except upon the expiration of his or her term, except as provided by the City Charter or General City Law.

Section 4. Validity and Severability.

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 5. Inconsistency.

All other local laws and ordinances of the City of Geneva that are inconsistent with the provisions of this ordinance are hereby repealed provided, however, that such repeal shall only be to the extent of such inconsistency. In all other respects, this local law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered herein.

Section 6. Effective Date

This Local Law will take effect immediately upon filing with the New York Secretary of State.

Article II. Amendments to the City Charter of the City of Geneva

City Charter Sections 13.6(A), (B), and (C) shall be amended in their entirety to read as follows:

- A. There shall be a Zoning Board of Appeals appointed by the Mayor and approved by the City Council. The provisions of Article 5-A of the General City Law shall apply to the powers, duties, organization and authority of the Zoning Board of Appeals except as hereinafter provided.
- B. The Zoning Board of Appeals shall consist of five (5) members who shall be appointed by the Mayor and approved by City Council for a term of three (3) years. Any vacancies shall be filled by appointment by the Mayor and approved by City Council for the unexpired portion of the term. The Board shall serve without compensation.
- C. The ZBA Chairperson shall be appointed by the Mayor and approved by City Council. In the absence of the Chairperson the ZBA may designate a member to serve as Acting Chairperson until a Chairperson is appointed as provided herein.

Any other sections of Section 13.6 not amended as provided herein shall remain in effect.

Article III. Amendments to the City Code of the City of Geneva

City Code Section 59 shall be repealed in its entirety.

City Code Section 350-19.3(B) shall be amended to read as follows:

- C. Membership and terms.
 - (6) The ZBA shall consist of five members appointed by the Mayor and approved by the City Council. The ZBA Chairperson shall be appointed by the Mayor and approved by City Council. In the absence of the Chairperson the ZBA may designate a member to serve as Acting Chairperson until a Chairperson is appointed as provided herein.
 - (7) Any vacancies shall be filled by appointment by the Mayor and approved by City Council for the unexpired portion of the term.
 - (8) The terms of the members of the ZBA shall be three years.
 - (9) Removal of members and the designation of alternates shall be addressed as provided for in the New York General City Law.
 - (10) The members shall serve without compensation.

Any other sections of Section 350-19.3 not amended as provided herein shall remain in effect.

**ACTION TAKEN by Clr. Petropoulos; seconded by Clr. Gillotte
MOVED THAT this local law be approved**

MOTION CARRIED UNANIMOUSLY

19. RESOLUTION – Establishing Regular Council Meeting Night

City Manager Hendrix presented the following resolution:

WHEREAS, the Geneva City Charter provides that the City Council shall, at its organizational meeting, designate its official regular council meeting time, and

WHEREAS, in the past, City Council has met on the first Wednesday evening of each month as its official regular meeting night, and

WHEREAS, this Council is desirous to continue to conduct their regular meetings on the first Wednesday of every month beginning in February of 2025.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Geneva, New York, that the official Council meeting for the conducting of its regular business for the City of Geneva shall be the first Wednesday of each month commencing at 7:00 PM beginning in February of 2025.

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

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (8-1 absent)

20. RESOLUTION – Designated Official Depositories for the City

RESOLUTION – Designating Official Newspaper of Record

City Manager Hendrix presented the following resolutions as a block:

Designating Official Depositories for the City

WHEREAS, the Geneva City Charter provides that the City Council shall designate official depositories for the City of Geneva at its first organizational meeting, and

WHEREAS, it benefits the City to have many institutions competing for deposit services; and

WHEREAS, New York State has rigid requirements for banks wishing to hold municipal deposits.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Geneva, New York, that any bank with a branch office within the City limits, which is authorized to hold municipal deposits by the State of New York, is designated as an official depository for funds of the City of Geneva.

Designating Official Newspaper of Record

WHEREAS, the Geneva City Charter provides that the City Council shall designate an official newspaper for the publishing of public notices, and other official notifications for the City of Geneva, and

WHEREAS, The Finger Lakes Times has previously been designated as the official newspaper for the City for such purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Geneva, New York, that The Finger Lakes Times be and the same hereby is designated as the official newspaper for the City of Geneva.

RESOLVED this 8th day of January 2025

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

MOVED THAT these resolutions be approved as a block

MOTION CARRIED UNANIMOUSLY (8-1 absent)

21. RESOLUTION – Declaring Certain Property as Surplus - DPW

Director Venuti presented the following resolution, amended to add a Sweeper Truck:

WHEREAS, The City of Geneva maintains an inventory of equipment and supplies for the provision of certain municipal services; and

WHEREAS, The attached schedule of equipment no longer contributes value to the City's operations; and

WHEREAS, The equipment in the attached schedule may be sold to derive any final value to the City; now, therefore be it

RESOLVED, That the Geneva City Council, hereby and in due form does direct the City Manager to dispose of the equipment in the attached schedule. The proceeds of any sale shall be applied to the Equipment Amortization Fund.

Department of Public Works Surplus Equipment January 2025

- One (1) 2014 Toro Grounds Master 3280 Rotary Mower; Model 30345-3-4000338; Hours – 2,225.3
- Twelve (12) Freestanding Litter Receptacles – Width 19-1/2" x Height 37"
- One (1) 2015 Freightliner Business Class M2 106, Sweeper Truck, VIN 1FVACXDT4FHFY8088, 16,360 miles

Councilor Brennan wondered why the Sweeper Truck was being surplused, as it's not that old. Director Venuti explained that there is a good return for this piece of equipment on the used market, that will offset the cost of the new one. Councilor Petropoulos wondered why trash receptacles are being surplused. Director Venuti explained that the 19-gallon receptacles are simply too small, and were replaced with 30-gallon receptacles.

ACTION TAKEN by Clr Pealer; seconded by Mayor Valentino

MOVED THAT this resolution be approved as amended

MOTION CARRIED UNANIMOUSLY (8-1 absent)

22. RESOLUTION – Approval of the 2025 Amendment to the Municipal Cooperative Agreement for the Greater Tompkins County Municipal Health Insurance Consortium

City Manager Hendrix presented the following resolution:

WHEREAS, the City of Geneva is a Participant in the Greater Tompkins County Municipal Health Insurance Consortium (the "Consortium"), a municipal cooperative organized under Article 47 of the New York Insurance Law, and

WHEREAS, the municipal participants in the Consortium, including this body, have approved and executed a certain Municipal Cooperation Agreement (the "Agreement"; effective date of October 1, 2010), and

WHEREAS, Article 47 of the New York Insurance Law (the "Insurance Law") and the rules and regulations of the New York State Department of Financial Services set forth certain requirements for governance of municipal cooperatives that offer self-insured municipal cooperative health insurance plans, and

WHEREAS, the Agreement sets forth in Section Q2 that continuation of the Consortium under the terms and conditions of the Agreement, or any amendments or restatements thereto, shall be subject to Board review and upon acceptance of any new Participant hereafter, and

WHEREAS, the Municipal Cooperative Agreement requires that amendments to the agreement be presented to each participant for review and adopted by a majority vote by its municipal board, and

WHEREAS, City of Geneva is in receipt of the proposed amended agreement and has determined that it is in the best interest of its constituents who are served by the Consortium to amend the Agreement as set forth in the Amended Municipal Cooperative Agreement, now therefore be it

RESOLVED, that upon receipt and review of the amended Agreement, the City of Geneva approves at a meeting of the governing body held on January 8, 2025 and authorizes the Chief Elected Official to sign the **2025** Amendment to the Municipal Cooperative Agreement (Effective 1.1.25) of the Greater Tompkins County Municipal Health Insurance Consortium as recommended by the Board of Directors.

ACTION TAKEN by Clr Grimaldi; seconded by Clr. Gillotte

MOVED THAT this resolution be approved
MOTION CARRIED UNANIMOUSLY (8-1 absent)

23. RESOLUTION – Establishing a Public Hearing for the NYS Grant Funding Under the Federal Community Development Block Grant Program and Specifically for CDBG-Economic Development Grant to Assist Liquid Orchard, Inc.

Director West presented the following resolution:

WHEREAS, the Geneva City Council supports programs and projects that align with the 2016 City of Geneva Comprehensive Plan, and

WHEREAS, the City intends to apply to New York State for funding under the federal Community Development Block Grant Program in 2025; and

WHEREAS, applications include submission on behalf of Liquid Orchard, Inc. for assistance in establishing a facility for the production of fruit and vegetable beverages at the Cornell Agriculture Technology Park (Tech Farm) in the City of Geneva; and

WHEREAS, the City may apply for funding for the following programs and activities: Infrastructure, Community Planning, Microenterprise, Housing, Small Business and Economic Development activities; and

WHEREAS, a public hearing is held as part of the process to solicit public input with respect to potential applications and program activities; and

NOW, THEREFORE, BE IT RESOLVED that the Geneva City Council establishes a public hearing for February 5, 2025 at 7:00 p.m. to hear public feedback on the intent to apply to New York State for funding under the federal Community Development Block Grant Program in 2025 for Liquid Orchard, Inc. and additional program activities.

Director West explained that this is a rolling application, and the City needs to be the applicant. He explained that any business that wants to locate in the city, and has a good business plan, should be supported by the City via this application. Councilor Pealer asked Director West to tell Council a little bit about Liquid Orchard. Director West explained that they are investing in a new juice production method at Cornell AgriTech. The company is purchasing equipment, and may also use space at the GEDC for storage. Director West explained that these are federal dollars paid through New York State. Councilor Pealer raised concerns about incubating businesses that then leave the City, specifically juice production. Director West noted that the country's largest canned food company is still in Geneva. Councilor Pealer expressed concern related the City investing in the models of businesses that leave. Mayor Valentino explained that the City uses leverage to create attraction, spawning more development on AgriTech land. Discussion followed.

ACTION TAKEN by Clr Grimaldi; seconded by Clr. Brennan

MOVED THAT this resolution be approved
MOTION CARRIED UNANIMOUSLY (8-1 absent)

24. RESOLUTION – Setting a Public Hearing for Community Development Block Grant Business Expansion and Start-Up Program Grant Application

Director West presented the following resolution:

WHEREAS, the City of Geneva is currently implementing a Microenterprise Assistance Program (MAP), and

WHEREAS, the current and prior programs have been beneficial to the City of Geneva and its residents, and

WHEREAS, there is an opportunity to seek new funding for these services under the CDBG Business Expansion and Start-up (BEST) program, and

WHEREAS, the program requires a public hearing to discuss community needs and seek support for the City's application to this program, and

WHEREAS, the City recognizes that this project is a priority activity that is contributing to the renewal of the downtown area, strengthening the local economy, and increasing the quality of life for residents; and

WHEREAS, this project is consistent with all existing local plans, the project facilitates 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 supports local businesses in a manner that will attract, create, and sustain employment opportunities in Geneva; and

NOW THEREFORE BE IT RESOLVED that the City Council schedules a public hearing for February 5, 2025 at 7pm in the City Hall Council Chamber for the purpose of hearing public comments on the City of Geneva's potential application to Community Development Block Grant (CDBG) BEST program, the City's economic and community development needs, and Council directs City staff to take all necessary action to provide proper notice of the public hearing.

ACTION TAKEN by Clr Petropoulos; seconded by Clr. Whitfield

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (8-1 absent)

25. BOARD AND COMMISSION APPOINTMENTS

ACTION TAKEN by Clr Pealer; seconded by Clr. Gillotte

MOVED THAT Jerry Buckley be re-appointed to the Historic Districts Commission

MOTION CARRIED UNANIMOUSLY (8-1 absent)

26. MAYOR AND COUNCIL REPORTS

Councilor Brennan shared that the Shade Tree Committee meeting was routine, work continues, they were able to plant a few dozen trees before the cold weather. Councilor Brennan describes this committee as active; they get a lot of work done while coordinating with Director Venuti and his team. Tom Burrall donated \$675 in firewood sales, bringing his sales to \$13,500 to mark the new year. Councilor Brennan noted that seven Councilmembers have completed the first twelve months of their terms, and hopes to be more productive this year.

Councilor Lavin asked the City Manager for an update in February related to discussion with the Town and fire consolidation.

Councilor Pealer wished a happy New Year to all residents, and a warm welcome to Comptroller Blowers. He shared that the Planning Board held a brief meeting for the CCN land sale. He wondered where the Marina project is at. City Manager Hendrix explained that the bid for the project is holding, pending approval of the project by the Department of State. Councilor Pealer then wondered about the Rec study; the City Manager informed him that it's ongoing.

Councilor Grimaldi shared that Jim McCormack is now the Chair of the Geneva Housing Authority Board. He noted that the GHA may sell some of their scattered housing.

Councilor Gillotte thanked the Police Budget Advisory Board for their great presentation, and noted that they're a great group that gets a lot done. The BID budget passed in December, and added the snowflake skyline to Seneca Street. He shared that Jingle in Geneva and the Mayor's Tree Lighting were both great successes. The New York State Tourism Association is holding a conference in Canandaigua this spring, which BID Executive Director Catherine Price will be attending. Additionally, the BID will be hosting a tour of Geneva as part of the conference.

Councilor Petropoulos shared that the LDC met today, where the Geneva School District presented their Capitol Project presentation. The project is mostly mechanical and safety related, and will create a car loop at West Street school to clear up the vehicular mess there at arrival and dismissal. The project has zero impact on taxes. The public hearing for the project is scheduled for January 30 in the High School Auditorium, and the vote is on February

6. Councilor Petropoulos shared that he visited some of the downtown businesses that were broken into, and that the suspect was caught. He then explained a proposed Neighborhood Watch program that would be run by residents with oversight of a Police Sergeant. Councilor Petropoulos announced a Wards 4, 5, and 6 Town Hall meeting that will be held on January 25, 9:30-12:30 at the Library Reading Room. He also shared that the Free Masons and Salvation Army distributed food packages in the area and that Murphy's Market won second place in a state wide competition for the best retail holiday window.

Councilor Whitfield shared that Rec had a great holiday season with 3,300 skaters during school break. February Break programming will be posted on the website and Facebook. The Green Committee will meet next week with the Climate Smart Task Force. He wondered if Geneva has re-enrolled as a Climate Smart Community, noting that enrollment helps with grant applications. City Manager Hendrix shared that the City does have application materials for that. He also noted that Supervisors Kennedy and Pruitt attended the November Green Committee meeting to talk about the landfill. Councilor Whitfield expressed his sincere apologies for the loss of the Gold Membership for seniors at the YMCA and suggested the library's free chai-chi program which meets on Wednesdays from 2:00-3:00pm. The Daddys Do Care program will begin on March 3 for days, 9-11am, and March 4 for evenings, 5-7pm, and meet through May. For more information look on social media, the library web site, or call Councilor Whitfield at 315-830-8585. Councilor Whitfield raised issues with a news item written by Maria Carlo and others. He expressed concern that only he, and occasionally Councilor Lavin raise including racism, degradation, gentrification, segregation and prejudice. Councilor Whitfield explained that these challenges aren't new, and are woven into our society, sharing that in Geneva, we see the double-edged sword of gentrification as we displace residents, families, and businesses who can no longer afford to live in the neighborhoods they come from, while celebrating growth. He raised concerns about systemic racism, silencing oppression, and nothing being done about the noose. Councilor Whitfield thanked Jackie Augustine for sending the right message, and recommends investing in minority owned businesses, and anti-racism to help move Geneva forward. Councilor Whitfield believes that Geneva can be a beacon celebrating diversity, and his desire to build a better Geneva with a more equitable future.

Mayor Valentino thanked the Clerk, Staff, and the Police Department for the Tree Lighting in December. He also thanked the Comptroller interview committee, and noted that he's happy to have Adam Blowers back in the Comptroller role. In 2025 Mayor Valentino is looking for relief from mandates, and continued AIM funding. He shared that the annual Martin Luther King Jr. community event begins at 9am on January 20 in Bicentennial Park.

Councilor Pealer added comments regarding traffic at the West Street School, noting that the traffic problems occurred when the North Street and West Street Schools were split into a grades K-2 building and a grades 3-5 building, adding that families refusing to use the bussing system add to the problem.

Mayor Valentino reminded Council that performance management forms are due to him by Friday.

27. ADJOURNMENT

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

MOVED THAT the meeting be adjourned at 9:40pm

MOTION CARRIED UNANIMOUSLY (8-1 absent)

Nicole Tillotson

City Clerk