

AGENDA

REGULAR COUNCIL MEETING

CITY OF GENEVA, NEW YORK

April 12, 2023

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

COUNCIL MEETING STARTS AT 7:00PM

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- I. CALL TO ORDER – Mayor, Steve Valentino
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. PROCLAMATIONS
 - Will Czaplak
 - Larry Guereri
 - 125th Anniversary - from Gov. Hochul
 - Fair Housing Month
 - Hobart College Hockey
- V. SUPERVISOR UPDATE
- VI. DRI UPDATE
- VII. FOUNDRY UPDATE
- VIII. CONSIDERATION OF MEETING MINUTES

This portion of the meeting is dedicated to correction of meeting minutes for the following Council session:

 - A. March 1, 2023 (Regular Council Meeting) {Page 3}
 - B. March 22, 2023 (Special Council Meeting) {Page 19}
- IX. PUBLIC COMMENT

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

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

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

A. Update on the Zoning Process – City Manager Hendrix

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

- A. Resolution Establishing a Public Hearing for the Sale of City Owned Property – Presented by City Manager Hendrix #13-2023 {Page 23}
- B. Resolution Amending the 2023 Sewer Fund Budget for the Waste Water Treatment Plant Repairs – Presented by City Comptroller Newcomb #14-2023 {Page 25}
- C. Resolution Amending the 2023 General Fund Budget for Upfitting New Fire Chief Vehicle – Presented by City Comptroller Newcomb #15-2023 {Page 27}
- D. Resolution Increasing the Memorial Bench Fee – Presented by City Comptroller Newcomb #16-2023 {Page 29}
- E. First Reading of an Ordinance Amending Chapter 215 Entitled “Licensing of Occupations” – Presented by City Manager Hendrix #4-2023 {Page 30}
- F. First Reading of an Ordinance Amending Chapter 335-17 Entitled “Parking, Standing and Stopping Restrictions” of the City of Geneva Municipal Code – Presented by City Manager Hendrix #5-2023 {Page 34}
- G. Board/Commission Appointments {Page 36}

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

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

XV. ADJOURNMENT

THE GENEVA CITY COUNCIL

JOURNAL OF PROCEEDINGS

REGULAR COUNCIL MEETING

March 1, 2023 – 7:00 PM

Public Safety Building
255 Exchange Street
Geneva, NY 14456

Presiding – Steve Valentino, Mayor

1. ROLL CALL

Present: Clr. Regan, Clr. Gaglianese, Clr. Camera, Clr. Brimm, Clr. Burrall, Clr. Pealer,
Clr. Noone, and Clr. Salamendra (via Zoom and left meeting around 9:50pm)

2. EXECUTIVE SESSION

ACTION TAKEN by Clr. Regan; seconded by Clr. Burrall

MOVED THAT council move to executive session at 6:01pm to discuss collective negotiations pursuant to Article Fourteen of the Civil Service Law

MOTION CARRIED (8-1absent)

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

MOVED THAT council exit executive session at 6:59pm

MOTION CARRIED (8-1absent)

3. DRI UPDATE

Thank you, Mayor and City Councilors and good evening.

WORK COMPLETED TO DATE:

There has been no significant progress on the project to report.

Pay Application 16 was processed on 2/9/23 bringing the total contract completed work paid to date to Nine Million, Two Hundred Thirty-Five Thousand, Five Hundred and Three dollars (\$9,235,503.00)

Weather pending, we are looking forward to an April or May startup for all remaining contract and punch list items.

4. FOUNDRY UPDATE

Remedial Design

- Remedial design plans are in progress for 19 remaining properties located south of St. Peter's Church along Genesee, Geneva, and Tillman Streets. Meetings are being held this month with homeowners of properties along the south side of Tillman St. and east side of Geneva St. south of Tillman St. to review plans.
- No Further Action letters were issued to the owners of properties fully remediated in 2022.

Remedial Construction

- Excavation and restoration of 60 Middle Street, which had been used as a project staging area, was completed. Minor surface restoration work remains.
- Per an agreement with the City, the contractor set up a staging area at 42 Geneva St. for clean materials and equipment to be used during 2023. Restoration details will be finalized with the Director of Public Works later in the year.
- Excavation of six properties located along the west side of Genesee Street just south of Lewis St. is expected to begin in mid-March, weather permitting.
- Restoration activities at Genesee Park, including masonry activities and landscaping, are expected to resume in late March or April, pending weather, and are expected to be completed in late spring.
- Remediation of all remaining residential properties is expected to be performed in 2023. Remediation of the State Street staging area, located on the parcel just east of the railroad, is anticipated to be completed in 2024. Demobilization from the additional project staging area on Lehigh Street will also be completed in 2024.

5. CONSIDERATION OF MEETING MINUTES

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

**MOVED THAT the minutes of the February 1st Council Meeting be approved
MOTION CARRIED UNANIMOUSLY**

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

**MOVED THAT the minutes of the February 15th Council Meeting be approved
ROLL CALL VOTE: Aye – Clr. Camera, Clr. Regan, Mayor Valentino, Clr. Gaglianese,
Clr. Burrall, Clr. Pealer, and Clr. Brimm
Abstain – Clr. Noone and Clr. Salamendra**

MOTION CARRIED

6. PUBLIC COMMENT

Pat Schiller said that much has been said about Geneva being a destination for tourists with some choosing to relocate to Geneva. She noted that we will have an influx of new residents when the former America Legion project is done. She said it is important for all of us to work together to make Geneva the best it can be, reminding council that they are the rim of the coin she spoke about last month that brings us all together. She said she listened to Evan Dawson speak about Geneva, and much of what he said council would have been pleased to hear. She asked council to support our city manager and their constituents by working together. She asked them to be the positive they want to see in others. She finished by thanking Clr. Regan for inviting Mr. Dawson to speak.

7. CITY MANAGER REPORT

City Recruitment

- Director of the Planning and Economic Development Department
 - o We are in the process of drafting the new recruitment materials for this position which includes highlighting the expectations of the Director as a connector, business developer, and someone who can bring what Geneva is out to other communities.
- Police Chief
 - o The Police Chief exam will be held on March 25. Once the exam is completed, we will await results from New York State Civil Service, which typically takes between 4-6 months. As we await the results and begin the process of interviews, we will be creating an interview panel of staff and community stakeholders to participate in the process. Prior to the panels full formation, we will also hold community discussions to talk about the role and expectations of the Chief of Police in the City of Geneva.
- Assessor
 - o Our Assessor announced his resignation effective on March 10. We will be working with the City of Canandaigua on recruiting this currently shared position.

Lakefront Request for Proposals

As discussed as part of the budget process, we will be retaining support from consultants as well as our own team to review the infrastructure of the lakefront and bicentennial park to provide solutions for event management, including the farmer's market. The Request for Proposals is being completed and will go out in the coming weeks. We will be looking for an organization to review the current lakefront configuration and activities, talk with community stakeholders, and to make suggestions for ways to support the activities of the lakefront.

Map Grant Request for Proposals

We are currently seeking applicants for an administrator of the New York State Microenterprise Assistance Program (MAP). Applications are due by March 10, 2023 at 4pm.

NY Market 10th Year Anniversary

Last week the city celebrated with Ag and Markets, the Visitors Center and others the 10th anniversary of the Taste NY brand.

Shadetree Committee Appointments

Charles Rouse, Jeremy Busch and James Norwalk

8. RESOLUTION CLASSIFYING LOCAL LAW #1-2023 STAGGERING TERMS OF OFFICE OF GENEVA CITY COUNCILORS AND THE MAYOR AS AN UNLISTED ACTION UNDER SEQRA AND AUTHORIZING GENEVA CITY COUNCIL AS LEAD AGENCY

City Manager Hendrix presented the following resolution:

WHEREAS, the City of Geneva intends to amend the Geneva City Charter to stagger terms of office of Geneva city councilors and the mayor through Local Law 1-2023; and

WHEREAS, the City Council of the City of Geneva has expressed its interest and intention to undertake an environmental assessment of the proposed adoption under the auspices of the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the City Council has determined that the proposed adoption qualifies as an Unlisted Action under SEQRA.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Geneva, New York determines that proposed Local Law 1-2023, amending Section 2.1 of the Geneva City Charter to establish staggered terms of office of members of the Geneva City Council and the Geneva City Mayor, is classified as an Unlisted Action pursuant to SEQRA, consents to act as Lead Agency per SEQRA regulations, and determines that no coordinated review with other potentially involved agencies is applicable or required.

City Manager Hendrix told council that the SEQRA was included in the agenda tonight noting that this item is classified as an unlisted action with council consenting to act as lead agency.

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

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY

9. RESOLUTION DECLARING THAT THE LOCAL LAW AMENDING THE GENEVA CITY CHARTER TO STAGGER TERMS OF OFFICE OF GENEVA CITY COUNCILORS AND THE MAYOR, AND UNLISTED ACTION UNDER SEQRA, WILL NOT RESULT IN ANY ADVERSE ENVIRONMENTAL IMPACT

City Manager Hendrix presented the following resolution:

WHEREAS, the City of Geneva intends to amend the Geneva City Charter to stagger terms of office of Geneva city councilors and the mayor through Local Law 1-2023; and

WHEREAS, the City Council of the City of Geneva, as Lead Agency, has determined that Local Law 1-2023 qualifies as an Unlisted Action under SEQRA; and

WHEREAS, the City Council has determined that the action will not result in any adverse environmental impacts.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Geneva, New York that Local Law 1 - 2023 amending Section 2.1 of the Geneva City Charter, to establish staggered terms of office of the members of the Geneva City Council and the Geneva City Mayor, an Unlisted Action pursuant to SEQRA, will result in no adverse environmental impacts.

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

10. LOCAL LAW STAGGERING THE TERMS OF OFFICE OF GENEVA CITY COUNCILORS AND THE MAYOR

City Manager Hendrix presented the following local law:

BE IT ENACTED, by the City Council of the City of Geneva as follows:

Section 2.1 of the Geneva City Charter, approved by referendum, effective January 1, 1974, as amended thereafter, is hereby further amended to change the method of election of members of the Geneva City Council and Mayor.

Section I - Purpose

The purpose of this amendment to the City Charter is to stagger the terms of office of Geneva City Council members and the Mayor, so City Councilors and the City Mayor do not come up for election in the same year.

Section II - Elective Officers; terms

Section 2.1 of the Geneva City Charter, is amended as follows:

Geneva City Councilors and the City Mayor shall be elected in stages beginning with the 2023 general election.

The City Mayor and City Councilors representing City Wards 2, 4, and 6 shall be elected at the 2023 general election to terms of two years.

City Councilors representing wards 1, 3, and 5 shall be elected at the 2023 general election to terms of four years.

The City Councilor at large candidate receiving the largest total of votes in the 2023 general election shall serve a term of four years.

The City Councilor at large candidate receiving the second largest total of votes in the 2023 general election shall serve a term of two years.

Every general City election thereafter, all City Councilors and the Mayor shall be elected for four-year terms.

It is the intent of this local law, which is subject to mandatory referendum, to stagger the terms of office for City Councilors and the City Mayor so all City Councilors and the City Mayor do not come up for election in the same year.

Section III

The City Charter provision in conflict herewith specifically Article 2, Section 2.1 pertaining to elected officials is hereby amended.

Section IV - Effective Date

This local law shall become effective immediately upon approval by the affirmative vote of a majority of the qualified electors of the City of Geneva voting upon the proposition at the November 2023 general election as prescribed by law.

Abstract of Proposition

Shall City of Geneva Local Law # 1 - 2023 Staggering the Terms of Geneva City Councilors and the City Mayor be approved.

City Manager Hendrix said that if approved, the proposition of staggering council terms will be placed on the ballot in the November 2023 election, and if approved, it will take effect in January 2024.

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

11. SECOND READING OF AN ORDINANCE AMENDING CHAPTER 335-17 ENTITLED "VEHICLES AND TRAFFIC" – Pulteney St and Washington St

City Manager Hendrix presented the following ordinance for second reading:

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

WHEREAS, the current section 335-17, entitled "Parking standing and stopping restrictions." Indicates no parking restrictions on the east side of Pulteney Street, north of Washington Street, and

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

NOW THEREFORE IT IS ORDAINED, as follows

Section 335-17 of the Geneva City Code, entitled "Parking standing and stopping restrictions." be and the same is hereby amended to include the following: Pulteney Street, On the East Side: No parking from the north curb line of Washington Street to a point 50 feet in a northerly direction.

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

12. SECOND READING OF AN ORDINANCE AMENDING CHAPTER 335-17 ENTITLED "VEHICLES AND TRAFFIC" – S. Main St. and Jay St.

City Manager Hendrix presented the following ordinance for second reading:

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

WHEREAS, the current section 335-17, entitled "Parking standing and stopping restrictions" indicates parking restrictions on the west side of South Main Street "From a point 260 feet north of the north curb line of Jay Street...", and

WHEREAS, the City Director of Public Works recommends that additional parking spaces be allowed in this area.

NOW THEREFORE IT IS ORDAINED, as follows;

Section 335-17 of the Geneva City Code, entitled "Parking standing and stopping restrictions" be and the same is hereby amended to include the following: Main Street, South, On the West Side: No parking from a point 190 feet north of the north curb line of Jay Street ..."

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

13. SECOND READING OF AN ORDINANCE AMENDING CHAPTER 335-17 ENTITLED "VEHICLES AND TRAFFIC" –William St and West St

City Manager Hendrix presented the following ordinance for second reading:

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

WHEREAS, the current section 335-9, entitled "Stop intersections" indicates no stop restrictions at the intersection of William Street at West Street

WHEREAS, the City Director of Public Works recommends that a defined traffic control device installation be established in this area by mean of stop signs.

NOW THEREFORE IT IS ORDAINED, as follows

Section 335-9 of the Geneva City Code, entitled "Stop intersections" be and the same is hereby amended to include the following:

William Street with West Street from the east and west.

William Street with West Street from the south.

Clr. Gaglianese thanked staff for this ordinance change, and all of council agreed it was a much-needed amendment.

**ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Regan
MOVED THAT this ordinance be approved for second reading
MOTION CARRIED UNANIMOUSLY**

14. RESOLUTION REQUIRING RESIDENCY OF NO MORE THAN 30-MILES FOR POLICE AND FIRE CHIEFS

City Manager Hendrix presented the following resolution:

WHEREAS, the Geneva City Council recognizes the importance of highly functioning public safety agencies; and

WHEREAS, the Police and Fire Departments play a critical role in the day-to-day health, safety, and welfare of our community; and

WHEREAS, ready access to critical public safety issues is a key to rapid, efficient response; and

WHEREAS, there is a need for strong leaders of these departments and there is an understanding that the current residency requirement established in Resolution 43-2009 may limit the ability to recruit and retain future Fire and Police Chiefs; and

WHEREAS, having the Fire and Police Chief reside within the city may be desirable but it is often difficult for prospective employees to become City residents due to a housing crisis within the City of Geneva; and

WHEREAS, the Police and Fire Chiefs connection to the communities they serve is an expectation of these leadership positions and can be established even if the incumbent is not a resident of the City.

NOW, THEREFORE, BE IT RESOLVED that the Geneva City Council, duly assembled and authorized, does hereby and in due form set forth that the Fire Chief and Police Chief for the City of Geneva will be required to establish residency within radius of no more than 30 miles of the City limits within 90 days of the date of appointment, replacing Resolution 43-2009, and

THEREFORE BE IT FURTHER RESOLVED that the City Manager, as appointing authority for these positions, is authorized to establish and carry out policies and practices which may include additional benefits for those that select to reside within the City.

City Manager Hendrix said that this resolution removes resolution #42-2009 requiring the police and fire chiefs to reside in the City of Geneva. She said based on council's discussion on February 15th, this resolution allows the flexibility for the fire and police chiefs to live within a radius of no more than 30 miles of the City of Geneva.

**ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Noone
MOVED THAT this resolution be approved**

Clr. Regan said she heard from a lot of people who feel the boundary should be within the school district as the chiefs may have children in our school district and be a part of our community. Clr. Camera agreed with this change noting that 30 miles also seems far to him.

Clr. Gaglianese said he is against handcuffing what council is trying to fix, noting that there is a hiring shortage and council can't restrict the number of applicants. He also noted that there is no guarantee that their children will go to Geneva schools. Clr. Pealer said he agrees with the ideology of this amendment, but he does not support it.

Clr. Salamendra said she feels council should not be lifting the residency requirement, but this amendment is closer than 30 miles, so she agrees with it.

**ACTION TAKEN by Clr. Regan; seconded by Clr. Camera
MOVED THAT this resolution be amended to change the boundary to encompass the
Geneva City School District**

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

MOTION DEFEATED

Clr. Salamendra asked what it says about a public servant who does not want to live where the people are that he serves. She said this department claims to be aiming toward a community policing model, and she believes the police chief should be responsible for their budget. She said changing the requirement does not make sense, and the chiefs should be accountable to the city and move here.

Clr. Pealer said he thought council was sending the right message at the last meeting about opening up the residency area, and he asked the city manager what the value was in voting for this now rather than later. City Manager Hendrix said that we want to do this now because the interested people have not taken the test yet.

Clr Burrall said he has other issues with the resolution and would like to talk about looking at this from a different angle. He questioned if the city manager could have a preferred line, but when it comes down to the vote, residents will be rated in a different way. He said he des not want one of our chiefs living in Fairport, Weedsport or Naples as these are hugely important positions that demand relationships with residents and a financial stake in the game. City Manager Hendrix told council that based on their last discussion, she provided them with a map showing a range of radiuses to use for this conversation along with other municipality's rules. She said that applicants need to know the rules and that we have a fair playing field. She said she is looking for council to set a clear determination.

Clr. Gaglianese said council needs to open this up in order to succeed. He said that just because someone lives in our city, that does not guarantee that they will spend their money here. Clr. Noone said he is in favor of this resolution and he likes the incentive idea and is not opposed to lowering the radius. He said he feels people are making false assumptions if they say the chiefs won't take care of their budget and our residents if they don't live here. Clr. Camera said he would feel better with a 20-mile radius.

Clr. Brimm said he likes the idea of incentivizing it and feels changing the radius from 30 to 20 miles will not make much difference in response time. He said he feels council will not want to handcuff themselves with the recruiting pool.

Mayor Valentino offered an amendment to say that council's preference is for the chiefs to live in the city and leave the final decision up to the city manager. Clr. Gaglianese and Clr. Camera said they do not agree with this amendment.

ACTION TAKEN by Mayor Valentino; seconded by Clr. Regan

MOVED THAT this resolution be amended to change the 'Now Therefore be it Resolved' paragraph to "that the Geneva City Council, duly assembled and authorized, does hereby replace Resolution #43-2009 and set a preference for Fire Chief and Police Chief to live within the City of Geneva. The Geneva City Council also gives the city manager latitude to waive the residency preference"

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

Nay – Clr. Gaglianese

MOTION CARRIED

Clr. Pealer offered an amendment to give preference to the candidate of choice if they currently live within the 30 mile radius. Clr. Salamendra said she agrees with this amendment as it gives more accountability.

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

MOVED THAT this resolution be amended to add wording to the end of the amended resolution to include “if the candidate of choice currently lives within the 30-mile radius”

ROLL CALL VOTE: Aye – Clr. Regan and Clr. Pealer

**Nay – Clr. Camera, Mayor Valentino, Clr. Noone, Clr. Burrall, Clr. Brimm
Clr. Gaglianese, and Clr. Salamendra**

MOTION DEFEATED

Clr. Salamendra said she was not saying that the chief would pad the budget if they live out of town, but saying he should be responsible means he should pay taxes for a budget he is responsible for.

Clr. Burrall offered an amendment to remove paragraph five of the resolution that says Geneva is in a housing crisis. Mayor Valentino asked him to include an amendment to the title of the resolution as well.

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

MOVED THAT paragraph five of this resolution be removed and the title of the resolution be changed to “Resolution Requiring City Manager Authority to Authorize Police and Fire Chiefs Residency”

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

Nay – Clr. Gaglianese, Clr. Salamendra, and Clr. Noone

MOTION CARRIED

{Roll call on the original resolution as amended}

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

Nay – Clr. Salamendra and Clr. Noone

MOTION CARRIED

15. DISCUSSION REGARDING CITY MANAGER AND CITY CLERK RESIDENCY REQUIREMENTS

Mayor Valentino said he is happy with the charter requiring the city manager and city clerk to reside in the city. He said the city clerk position is a pure customer service and record keeping position. Clr. Salamendra said she agrees these two positions should require city residency as should all jobs that are in high performance in the city. Clr. Regan said she agrees and would like all city employees to live in the city. Clr. Gaglianese said he would like to keep them the way they are.

Clr. Pealer said he feels the city clerk should be changed similar to the police and fire chiefs.

16. DISCUSSION REGARDING SHORT TERM RENTALS

Clr. Salamendra said there has been a boom in Air B&B's which is defined as a home stay for vacation rentals. This means a person rents out a house or apartment for a short time allowing the income to pay off the property as an investment for the home buyer. She said this is removing property from the long-term rental market and decreasing an already short supply of housing for renters. She said that all over the country, renters are being forced out by the crisis that short term rentals are causing noting that there are dozens of listings in each neighborhood for short term rentals. Clr. Salamendra said that short term rentals have many effects on our city, such as: we will lose residences, local businesses will suffer, neighborhoods will suffer, and there will be reduced tax revenue because we are currently not collecting occupancy tax on short term rentals like hotels do. She said that by legislating short term rentals, council will show residents that they care because lack of responsibility to neighbors causes an increase in complaints and inflates property values. She said in order to have a productive conversation about this, she hopes council will go around the room and offer their suggested solutions. She said that some options could be: make short term rentals illegal, zone them, tax them by making them register and pay occupancy tax, look to our county legislators and do some regional planning, or require the short-term rentals to be owner occupied. Clr. Salamendra said she will take the results of this discussion to the Geneva Affordable Housing Task Force. She said she believes council should ban short term rentals over the course of a year or if not, require them to be owner occupied for six months of the year.

Clr. Gaglianese said he feels this conversation needs to be had, but he feels the dynamics are complex. He said he does not believe that one size fits all when regulating these rentals. He noted the number of properties taken off the tax rolls has caused the housing shortage. He mentioned the owners not receiving their rents during the COVID pandemic so this could be a way for them to now collect rents. He said he is in favor of annual permits as he feels Geneva is becoming a destination. He said he feels the lack of housing needs to be addressed and the city needs more new builds. He offered his concern with needing more staff to regulate short term rentals. He said we need to increase revenue and promote economic development.

Clr. Brimm said this is a complex situation making note of our low housing stock. He said we need to find a way to reduce taxes and bring in development. He said he feels licensing Air B&Bs would be appropriate.

Clr. Camera said we need to study this and not regulate it backwards. He said he is in favor of a moratorium while council studies what to do about this or limit it to owner occupied property. He said the zoning needs to be finished and for zoning for multifamily to be done on the south side of the city as an option for us to grow.

Clr. Regan said this is very complicated. She said council needs to look at building revenue while at the same time addressing the character of the neighborhoods. She said she does not want to ban them altogether, but to focus and study all issues.

Clr. Burrall thanked staff for the presentation in the agenda packet and councilors for their valid comments tonight. He asked if it would be valuable to get public input. He said he likes the idea of certain limitations such as owner occupied only.

Clr. Pealer said there is a larger conversation saying that we do not have the ability to properly regulate or inspect these rentals. He told council to go to the website: ZDNet.com to see an article titled "Is your City Dying?". He said academics across the country say the following are good indicators: is the size of the population going down, is the average local income also going down, is the population overwhelmingly older, are residents not paying taxes or mortgages, are once monumental buildings now "icons of decline", does land sit unused because there is nothing to use it for, and do huge areas remain unrecovered while others flourish. He said that if we want to combat short term rentals, we need to incentivize single family home ownership and make buying a home and living there more attractive. He suggested requiring inspections for short term rentals and incentivizing home ownership.

Clr. Noone said council needs to have a work session with county administration involvement. He said he feels some simple implementations could be charging occupancy tax, annual inspections and notification to neighbors.

Mayor Valentino said he has had multiple conversations with residents about the effects of short-term rentals. He said he feels some ideas that could be implemented rather easily are licenses/permits, collection of occupancy tax, occupancy limits and using limitations. He suggested a point system so if someone has a short-term rental and there are police or code issues, the point system could start accumulating.

Clr. Salamendra said that incentivizing is good, but she doesn't feel that people do not want to buy, but because people from out of town are willing to pay more money. She said we need help for owner-occupied residences.

Clr. Brimm said that Rochester started a point system a couple years ago, and he feels we could do that also.

Mayor Valentino asked council to check their schedules for availability of a meeting the third or fourth week of April and also April 12th since April 5th is during Passover.

17. BOARD/COMMISSION APPOINTMENTS

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

MOVED THAT Robert Meyer, Antonio Gomez, and Jeff Greco be reappointed to the Zoning Board of Appeals

MOTION CARRIED UNANIMOUSLY

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

MOVED THAT Victoria Lehman, John Brennan, Sharon Best, Henry Roenke, and Timothy Buckley be reappointed to the Historic Districts Commission
MOTION CARRIED UNANIMOUSLY

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

MOVED THAT Allison Koczent be appointed and Lowell Dewey be reappointed to the Recreation Advisory Board
MOTION CARRIED UNANIMOUSLY

18. MAYOR AND COUNCIL REPORTS

Clr. Gaglianese said that the Police Budget Advisory Board had a productive meeting in February with discussions on responses to mental health issues. He said they will be sharing a report with council in late spring. He said that at the March meeting City Comptroller Newcomb will lead a workshop on the city budget process. He said they are looking forward to getting a new member and alternate. He said council appreciates all members on boards and commissions and are looking forward to filling the current vacancies. Clr. Gaglianese finished by saying that the Planning Board met in February to review an application for the OEO Site at 82 S. Exchange Street.

Clr. Noone said that the Zoning Board of Appeals did not meet, and they are looking to fill three vacancies.

Clr. Brimm said that the UPK Program for the school district registration has opened up today.

Clr. Burrall announced the upcoming blood drives: March 24th at Geneva General Hospital from 10-3, March 29th at the Presbyterian Church from 2-7, March 30th at Finger Lakes Community College in Geneva from 1-6. He said the BID February meeting was postponed to tomorrow. The Winter Arts Festival Art Walk had 16 locations and was very busy for our retailers, the Welcome Center logged 250 visitors the first hour with 1200 for the day, and the downtown film festival had about 150 people at the Smith Opera House. He announced the BID Annual Meeting will be March 28th and he encouraged council members to attend at Bella's at 5:30pm. He said that tickets are available at the BID office or by phone-in reservation and are \$45 per ticket. Clr. Burrall said that the Shadetree Committee met February 16th and are planning Arbor Day 2023 to give away 100 free trees, funded by firewood sales. He announced that the Shadetree Committee has three vacancies. Clr. Burrall gave a shoutout to Mark Perry and Joe Venuti for their new focus and emphasis on trees in our city. He said that the next level of enthusiasm is the group is looking at grafting their own trees to develop hybrid trees to plant under utility lines. He said that he, Jim Oswald, Jim Engel, and Jim and Auggie Norwalk collected \$650 in firewood sales for the Shadetree Committee this month.

Clr. Pealer thanked Mayor Valentino for allowing him to speak at the recent fire department training session, and he thanked all who attended as well. He said the Recreation Board met to discuss pickleball and repurposing unused tennis courts for community pickleball. He said they also talked about community

feedback for the programs that the recreation department offers for child care such as the Spring Break and Summer Programs. He said that there currently isn't funding, but they would like to see a full day program. He said there is a new program coming called Geneva Breathes which is a yoga program. He announced there will be an Easter Egg Hunt on April 1st at the Recreation Center. Summer Youth Program signups begin March 6th. Clr. Pealer said that the Recreation Complex recently hosted North Street School students for ice skating. He said that Spring Break signups are currently open for the week of April 3-7 from 8:15 to 12:00 for ages 5-12. He said that Silver Sneakers participation is a little over 60 seniors. He said that anyone interested in recreation programs can call the Recreation Department at 315-789-5005. He finished by saying that their next meeting will be March 15th at 5:30pm.

Clr. Camera said that he had emailed community concerns about the Norfolk Southern Railroad to council and would like to see a letter from the city manager sent to them voicing our concerns and questions about what they carry and their protocols. He said his other concern is that they spray along their right of way three or four times a year, which is right along the lake, and we should ask what they are spraying.

Clr. Regan said that she is happy to talk about a work session since she has been asking about a sidewalk replacement discussion, noting that she met with the city manager and Neal Braman to pound out a few ideas. She said that we should apply an incentive and stick to what is going on now. She said she received calls about trees being taken down with no notice to residents. She said she realizes they need to come down, but encouraged the city to make people aware it is happening. Clr. Regan said the Green Committee met to discuss Mission Zero to be held on April 22nd. She said the 125th Celebration is unfolding beautifully with the Dove Block having people painting the mural. She said this Friday is the first Friday and will have 10 places downtown with musicians. She said the Cobweb Game will provide 125 prizes as well. She said that Evan Dawson spoke to a standing room only crowd at Geneva on the Lake. She said that Saturday will be the culmination with past councilors coming to a screening of a documentary titled "Geneva Then and Now," then there will be cake at the Welcome Center and fireworks. She said she hopes to see everyone there.

Mayor Valentino thanked Karen Osburn for her service as our City Historian, noting that she is retiring. He announced that he has appointed Becky Chapin, Archivist at Historic Geneva as her replacement. He announced that the Hobart Hockey Team is playing this Saturday in the championship.

19. PUBLIC COMMENT

Joann Cannavo offered a thank you to any veterans and first responders in the room. She said she has been trying to relocate here from the Buffalo area and likes S. Main Street. She found out while trying to buy a row house, that it was purchased by someone and turned into an Air B&B. She said that people like continuity and cannot get that when there is a lot of turnover. She referred to the college population saying there needs to be places that stay open longer than 9:00pm.

20. ADJOURNMENT

**ACTION TAKEN by Clr. Noone; seconded by Clr. Gaglianese
MOVED THAT the meeting be adjourned at 10:08pm
MOTION CARRIED UNANIMOUSLY (8-1 absent)**

Lori Guinan

City Clerk

THE GENEVA CITY COUNCIL

JOURNAL OF PROCEEDINGS

SPECIAL COUNCIL MEETING

March 22, 2023 – 5:30 PM

Public Safety Building
255 Exchange Street
Geneva, NY 14456

Presiding – Steve Valentino, Mayor

1. ROLL CALL

Present: Clr. Regan, Clr. Gaglianese, Clr. Camera, Clr. Brimm, Clr. Noone, and
Clr. Burrall (arrived at 5:33pm)
Absent: Clr. Pealer and Clr. Salamendra

2. EXECUTIVE SESSION

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

**MOVED THAT council move to executive session at 5:33pm to discuss the Community
Choice Aggregation Contract
MOTION CARRIED UNANIMOUSLY (7-2 absent)**

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

**MOVED THAT council adjourn executive session to return to regular session at 6:24pm
MOTION CARRIED UNANIMOUSLY (7-2 absent)**

3. RESOLUTION TO URGE STATE AND FEDERAL PARTNERS TO ENACT POLICIES TO PREVENT
FURTHER ACCIDENTS LIKE TRAIN DERAILMENTS OCCURRING ACROSS THE NATION SINCE THE
BEGINNING OF 2023

City Manager Hendrix presented the following resolution:

WHEREAS, on February 3, 2023, a Norfolk Southern Railway Company train derailed in East Palestine, Ohio, spilling hazardous chemicals. Approximately 50 cars were involved. The spill killed wildlife, prompted hundreds of people to evacuate their homes, and caused many residents to complain about rashes, sore throats, and headaches; and

WHEREAS, on February 16, 2023, a Norfolk Southern Railway Company train derailed in Van Buren Township near a residential area 30 miles west of downtown Detroit. Approximately 30 cars were involved in the derailment, including one containing liquid chlorine. While no immediate environmental repercussions from this incident have been reported, this disaster could have been just as devastating as the derailment in Ohio; and

WHEREAS, on February 28, 2023, a Seminole Gulf Railway train derailed near Sarasota-Bradenton International Airport in Florida. Six boxcars tipped over, including one carrying 30,000 gallons of propane. While the train was reported as being minimally staffed and carrying even more propane, the incident was luckily not as disastrous as it could have been; and

WHEREAS, every day the Norfolk Southern trail line passes through our City carrying a variety of materials which if derailed may cause harm to the Geneva community; and

WHEREAS, currently there is no process in place that allows for the provision of information to our local community regarding the content of the containers, even if hazardous materials are contained within the railway; and

WHEREAS, the Federal Railroad Administration, Federal and State Partners need to enact policies to improve railroad safety and prevent further derailments from occurring. These policies should entail mandating two-person crews on each train, shortening maximum train lengths, ensuring better communication with local emergency management officials and first responders whenever transporting hazardous waste through communities, reducing the frequency of blocked crossings, reducing the length of time that railroad crossings are blocked by passing or standing trains, giving local governments the authority to identify emergency routes that cannot be blocked by passing trains, regulating defect detectors and trains, and requiring Class 1 rails to implement the Confidential Close Call Reporting System. Congress should also amend the United States Code to remove provisions preempting state laws that could enhance railroad safety; now, therefore, be it

RESOLVED BY THE GENEVA CITY COUNCIL, that we urge the Federal Railroad Administration, our Federal and State Partners to enact policies and practices to prevent accidents like train derailments occurring across the nation since the beginning of this year and empower the City Manager to directly communicate with these parties regarding these matters; and be it further

FURTHER RESOLVED, that we urge these bodies to enact policies and processes which require the railway to inform and coordinate with the local governments regarding the contents of the materials being transported through their municipality and become active participants in hazard mitigation and response plans; and be it further

FURTHER RESOLVED, that copies of this resolution be transmitted to the Administrator of the Federal Railroad Administration, Senator Schumer, Senator Gillibrand, Congressperson Tenney, Governor Hochul, Norfolk Southern Railway, Inc., Senator Helming, and Assemblymember Gallahan.

Clr. Camera said that he would like the railroads to acknowledge they are going through our city in case something happens. He said we are asking Norfolk Southern to work with our people as fast as possible if anything happens.

**ACTION TAKEN by Clr. Camera; seconded by Clr. Noone
MOVED THAT this resolution be approved
MOTION CARRIED UNANIMOUSLY (7-2 absent)**

4. RESOLUTION APPROVING THE ANNUAL EXTERNAL AUDIT REPORT AND AUDITED FINANCIAL STATEMENTS FOR THE CITY OF GENEVA FISCAL YEAR 2021

City Comptroller Newcomb presented the following resolution:

WHEREAS, an independent audit of the accounting and financial records of the City of Geneva for the City's fiscal year ending on December 31, 2021 was conducted by the public accounting firm of Mengel, Metzger, Barr and

WHEREAS, said audit resulted in no significant or adverse findings and an unqualified (clean) audit opinion from Mengel, Metzger, Barr of the City. Said results being verbally presented to the Geneva City Council by the City Comptroller on March 22, 2023; and

WHEREAS, it is necessary for the Geneva City Council to approve the results of said audit and audited financial statements to facilitate the filing of the audit and other related reports with appropriate State and federal agencies; and

WHEREAS, the Comptroller and the City Manager have each reviewed, acknowledged and formally concur with the results of the audit; and

WHEREAS, the City Council has concluded that said audit report is acceptable and reflects an accurate statement of the fiscal status of the City of Geneva.

NOW THEREFORE BE IT RESOLVED that the Geneva City Council hereby approves the results of the independent audit of the financial statements of the City of Geneva for the fiscal year ending December 31, 2021.

BE IT FURTHER RESOLVED that the City Council directs its Comptroller and Clerk to file the appropriate reports of said audit findings and other reports with the various agencies and departments of New York State and the Federal Government.

Comptroller Newcomb told council that the 2021 audit was done late since we were without a comptroller for a while, but overall, it went very well. She said there were no significant findings. She said overall the fiscal year 2021 showed signs of recovery for city operations after a slight financial backslide in 2020 with

the general fund revenue growing by 6.9% and spending was reduced by 2.5%. The auditors noted three deficiencies of internal control which are areas we can strengthen our procedures. She said that the first one was to establish board policies for the areas of online banking and investments in capitalization, and corrective action is already taking place. She said that she and her team are working through documenting their policies and procedures within their department and sharing with other departments in the city as well as working with Lyons National Bank to implement more steps in online banking and investment. She said we also need to continue efforts regarding compliance with General Municipal Law on competitive bidding, which we have already implemented additional changes for. In addition, her department is continuing their communication with regard to the procurement policy and documentation on vendors. She said the last item was vendor change/renew where any changes are made to a vendor within our operating system. She said a monthly report is run, and she reviews and signs off on it. Comptroller Newcomb told council that findings can be significant or minor, and they are not necessarily bad, but they allow us to adjust operations. When asked about needing three bids, she said that if we can't get three bids, we can retain documentation that we tried, but three were not available. When asked about verbal bids, she told council that when a verbal bid is taken over the phone, we then follow up with an email or document, and we keep the written document even though we are not required to.

**ACTION TAKEN by Clr. Camera; seconded by Clr. Brimm
MOVED THAT this resolution be approved
MOTION CARRIED UNANIMOUSLY (7-2 absent)**

5. ADJOURNMENT

**ACTION TAKEN by Clr. Noone; seconded by Clr. Gaglianese
MOVED THAT the meeting be adjourned at 6:35pm
MOTION CARRIED UNANIMOUSLY**

Lori Guinan

City Clerk



Geneva City Council
Agenda Item Briefing

To: Geneva City Council

From: Amie Hendrix, City Manager

Meeting Date: April 12, 2023

Item Title: Resolution Establishing a Public Hearing for Sale of City Owned Property

Action Required:

An affirmative vote from the City Council will enact a resolution which will authorize a public hearing for May 3, 2023 to consider the sale of real property.

Background:

The City of Geneva owns 0.015 acres of real property located at 30 Castle Street (104.43-2-3) which no longer serves a public service and should be sold to a private party. This resolution allows members of the public to respond to the sale of this property during a public hearing on May 3, 2023, prior to City Council resolving to sell the parcel.

Financial Impact:

None.

RESOLUTION # 13 - 2023

RESOLUTION ESTABLISHING A PUBLIC HEARING FOR SALE OF CITY-OWNED PROPERTY

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

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

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

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

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



Geneva City Council
Agenda Item Briefing

To: Geneva City Council

From: Stefanie Newcomb, Comptroller

Meeting Date: April 12, 2023

Item Title: Resolution Amending the 2023 Sewer Fund Budget for Waste Water Treatment Plant Repairs

Action Required:

A vote by City Council is required to amend the 2023 Sewer Fund budget to transfer a maximum of \$280,000 from reserve to cover the cost of equipment repairs.

Background:

Since January 2023 the Waste Water Treatment plant has experienced several emergency equipment failures including the conveyor belt and the Amwell drive at the treatment facility, the bar screen at the high flow facility and the SCADA computer alarm system upgrade. Fortunately, City Staff have been able to complete significant repairs internally for recognized cost savings, the additional cost for replacement equipment and install will be covered by this budget amendment.

Financial Impact:

Sewer Fund reserve balance decreased by up to \$280,000

Additional Information:

The 2023 budget already included the cost of replacing the conveyor belt at \$100,000 the actual cost has come in at \$152,000.

Office of the Comptroller

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

RESOLUTION # 14 - 2023

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

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

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

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

REVENUES:

Add

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

EXPENSES:

Add

Sewer:

EQUIPMENT PURCHASES NOT TO EXCEED \$280,000



Geneva City Council
Agenda Item Briefing

To: Geneva City Council

From: Stefanie Newcomb, Comptroller

Meeting Date: April 12, 2023

Item Title: Resolution Amending the 2023 General Fund Budget for Upfitting New Fire Chief Vehicle

Action Required:

A vote by City Council is required to amend the 2023 General Fund budget to transfer a maximum of \$35,000 from reserve to cover the cost of upfitting the new Fire vehicle.

Background:

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

Financial Impact:

General Fund reserve balance decreased by up to \$35,000

Additional Information:

None

Office of the Comptroller

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

RESOLUTION # 15 - 2023

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

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

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

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

REVENUES:

Add

APPROPRIATION FROM GENERAL FUND BALANCE NOT TO EXCEED \$35,000

EXPENSES:

Add

Fire:

EQUIPMENT PURCHASES NOT TO EXCEED \$35,000

RESOLUTION # 16 - 2023

**RESOLUTION INCREASING THE MEMORIAL BENCH FEE
TO COVER INCREASE COST OF SUPPLIES**

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

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

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

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



Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Lori Guinan, City Clerk

Meeting Date: April 12, 2023

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

Action Required:

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

Background:

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

Financial Impact:

None

Office of the City Clerk

Lori Guinan

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

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ORDINANCE # 4 - 2023

AN ORDINANCE AMENDING CHAPTER 215 ENTITLED "LICENSING OF OCCUPATIONS"

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Joseph Venuti, Director of Public Works

Meeting Date: April 12, 2023

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

Action Required:

Properly identify No Parking Here to Corner signage

Background:

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

Financial Impact:

DPW material costs will be less than \$100.00

Department of Engineering and Public Works

Joseph Venuti, Director of Engineering and DPW

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

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ORDINANCE # 5 - 2023

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

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

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

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

NOW THEREFORE IT IS ORDAINED, as follows:

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

William Street

On the north side:

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

On the south side:

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



To: Clr. Camera and Clr. Gaglianese
From: Lori Guinan, City Clerk
Date: April 12, 2023
Subject: Appointments for council meeting

The Nester Hose Fire Department would like to reappoint Donald McGuigan as their Commissioner.

The Recreation Advisory Board would like to reappoint Michael McWilliams.

Office of the City Clerk

Lori Guinan

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

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