

CITY OF BATAVIA

BUSINESS MINUTES

JULY 13, 2020

The regular business meeting of the City Council was held Monday, July 13, 2020 in the Council Chambers immediately following the conference meeting, One Batavia City Centre, Batavia, New York, with Council President Jankowski presiding.

Present were Council President Jankowski and Councilmembers Bialkowski, Briggs, Pacino, McGinnis, Canale, Viele, and Christian. Councilmember Karas was absent.

In attendance from the City of Batavia were Matt Worth, Chief Heubusch, Rachael Tabelski, Dawn Fairbanks, Lisa Casey, and Lisa Neary. Andrew Maguire was in attendance from the BDC.

Council President Jankowski called the meeting to order at 9:10 PM.

The financials from May 2020 were approved.

The minutes from the June 2020 meetings were approved.

The Council President assigned the regular agenda items.

* * *

City Attorney's Report

George Van Nest, City Attorney, noted they continue to work on a variety of matters but these was nothing specific to report.

* * *

City Manager's Report

Rachael Tabelski, City Manager, noted that the VLT aid came through and sales tax was down about 16% but that was better than the projected 30% reduction.

* * *

Committee Reports

Councilmember Pacino noted that BID is having their Wine Walk on October 3rd, they have two new programs in the works, and downtown Wi-Fi was moving rapidly.

* * *

Unfinished Business

None.

* * *

New Business

#50-2020

**A RESOLUTION TO ENTER INTO AN AGREEMENT WITH
KEELER CONSTRUCTION FOR THE 2020 INFRASTRUCTURE IMPROVEMENT
PROJECT, CONTRACT NO. 2020-2 A FRANKLIN STREET AND RICHMOND
AVENUE SEWER PROJECT**

Motion of Councilmember Briggs

WHEREAS, a project to line the sewer along Franklin Street from Pearl Street to the end, and Richmond Avenue from Oak Street to State Street; and

WHEREAS, a competitive bid was made by Keeler Construction for the lining of the sewer as specified in the contract document titled 2020 Infrastructure Improvement Project, Contract No. 2020-2; and

WHEREAS, Keeler Construction is the lowest responsible bidder (\$328,200.00); and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that the City Council President is hereby authorized on behalf of the City to execute an agreement with Keeler Construction in the amount of \$328,200.00 for the sewer lining of Franklin Street and Richmond Avenue (Oak Street to State Street).

Seconded by Councilmember Viele and on roll call approved 8-0.

* * *

#51-2020

**A RESOLUTION TO AUTHORIZE THE CITY COUNCIL PRESIDENT TO EXECUTE
A LICENSE AGREEMENT WITH BATAVIA BREWING COMPANY, LLC./DBA ELI
FISH BREWING**

Motion of Councilmember Briggs

WHEREAS, The City of Batavia has created 2020 Temporary Outdoor Dining on City Property Application in light of the COVID-19 Pandemic; and

WHEREAS, The Batavia Brewing Company. LLC./ DBA Eli Fish Brewing, located at 109 Main Street, has applied to utilize space within Jackson Square to accommodate 12 tables and up to 52 guests; and

WHEREAS, The City of Batavia will submit an application to the New York State Liquor Authority (SLA) in conjunction with The Batavia Brewing Company. LLC./ DBA Eli Fish Brewing to allow the owner to legally serve alcohol on City property.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that the City Council President is authorized to execute the license agreement with Batavia Brewing Company. LLC./ DBA Eli Fish Brewing, and

BE IT FURTHER RESOLVED, That the City Council of the City of Batavia authorizes the Manager of the City of Batavia to file a COVID-19 State of Emergency Municipal Application to Temporary Extend Licensed Premises to a Municipal Street, Sidewalk, or other Outdoor Area.

Seconded by Councilmember McGinnis and on roll call approved 8-0.

* * *

#52-2020

A RESOLUTION TO AMEND THE 2020/2021 BUDGET REVENUE AND EXPENSE ACCOUNTS

Motion of Councilmember McGinnis

WHEREAS, pursuant to General Municipal Law 6-F, the City of Batavia has an established Facility Reserve Fund which has a current balance of approximately \$242,820; and

WHEREAS, the City of Batavia is preparing to hire a professional services firm to perform a feasibility study and pre-design work for a new police station on City property located at the Northwest corner of Bank Street and Alva Place; and

WHEREAS, the projected cost for the feasibility and pre-design work is projected to not exceed \$50,000; and

WHEREAS, reserves funding is required to fund the project.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Batavia authorize the City Manager to transfer \$50,000 from the Facility Reserve to accounts shown below; and

BE IT FURTHER RESOLVED, by the City Council of the City of Batavia to authorize the City Manager to amend the 2020/2021 budget by increasing the accounts as follows:

Revenue 001.0001.0511.2106 Appropriated Facility Reserves	\$ 50,000.00
Expense 001.1620.0437 Professional Fees transfers out	\$ 50,000.00

Seconded by Councilmember Bialkowski and on roll call approved 8-0.

* * *

#53-2020

**A RESOLUTION TO EXECUTE A PROJECT PROPOSAL AGREEMENT WITH
ARCHITECTURE UNLIMITED, LLC. FOR THE FEASIBILITY STUDY OF THE
POLICE STATION AT THE ALVA PLACE LOCATION**

Motion of Councilmember Bialkowski

WHEREAS, The City of Batavia has allocated funding to conduct a feasibility study for the construction of a new police station at Alva Place; and

WHEREAS, Architecture Unlimited, a professional service firm, will provide the City with recommended size (square footage), design and layout, ability to expand, listing of regulatory requirements, and most importantly a breakdown of probable design/construction cost for site work and overall construction for a new police station; and

WHEREAS, Architecture Unlimited, LLC. was selected due to their existing relationship with the City of Batavia and extensive knowledge in police facility architecture; and

WHEREAS, The cost of the project is \$41,200 and is expected to take approximately six months to complete.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Batavia authorize the City Manager to execute the Project Proposal Agreement with Architecture Unlimited, LLC and move forward with the feasibility study for the police station.

Seconded by Councilmember Canale and on roll call approved 8-0.

* * *

#54-2020

**A RESOLUTION APPOINTING A FAIR HOUSING OFFICER AND AN ADA
(AMERICANS WITH DISABILITIES ACT) COORDINATOR**

Motion of Councilmember Viele

WHEREAS, the City of Batavia, State of New York, has previously been granted Community Development Block Grant (CDBG) Funds from the State of New York; and

WHEREAS, in accordance with Section 519 of Public Law 101-144, the HUD Appropriations Act requires certain statement of assurances and certifications;

WHEREAS, that pursuant to the City of Batavia being granted CDBG funds by the State; the City of Batavia, by administrative act, has previously adopted a policy statement and grievance procedures related to the Americans with Disabilities Act;

WHEREAS, that pursuant to the City of Batavia being granted CDBG funds by the State, the City of Batavia, by administrative act, has previously adopted Fair Housing and Anti-Displacement Plans.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Batavia appoints the City Manager to serve as Fair Housing Officer and the ADA Coordinator for the City of Batavia.

Seconded by Councilmember Christian and on roll call approved 8-0.

* * *

MOTION TO ENTER EXECUTIVE SESSION

Motion of Councilperson Pacino

WHEREAS, Article 7, Section 105(1)(h), of the Public Officer's Law permits the legislative body of a municipality to enter into Executive Session to discuss "...the proposed acquisition, sale, or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof..."and;

WHEREAS, Article 7, Section 105(1)(f), of the Public Officer's Law permits the legislative body of a municipality to enter into Executive Session to discuss "...the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation..."and;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia, that upon approval of this Motion, the City Council does hereby enter into Executive Session.

Seconded by Councilperson Viele and on roll call approved 8-0. Entered executive session at 9:18 PM and ended at 10:04 PM.

* * *

Meeting adjourned at 10:05 PM.

Respectfully submitted,

**Heidi J Parker
Clerk-Treasurer**

93

07/13/2020