

BATAVIA CITY COUNCIL CONFERENCE MEETING

**City Hall - Council Board Room
One Batavia City Centre
Monday, January 26, 2015
7:00 PM**

AGENDA

- I. Call to Order
- II. Invocation – Councilperson Briggs
- III. Pledge of Allegiance
- IV. Public Comments
- V. Council Response to Public Comments
- VI. Council President's Report
 - a. Announcement of the next regular City Council Business Meeting to be held on Monday, February 9, 2015 at 7:00 p.m. at the City Hall Council Board Room, 2nd Floor, City Centre.
- VII. City Manager's Report
 - a. Assistant City Manager's Report
- VIII. Resolution to appoint members to various City Committees/Boards
- IX. Part-time City Court Judge - Opening
- X. Opening bid Friday morning: Thermal Imaging Camera's – Fire Department
- XI. Various Traffic Grants Award
 - a. Resolution to Amend Police Budget to Reflect Police Traffic Services Grant (Stop-DWI Grant)
- XII. NYS Department of Conservation Grant
 - a. Resolution to amend Public Works budget – City Wide Tree Management Plan
- XIII. Vibrant Batavia Presentation - Leanna Di Risio
- XIV. Batavia Development Corporation Presentation Julie Pacatte
- XV. Budget Work Session
- XVI. Executive Session
- XVII. Adjournment

#-2015
**RESOLUTION TO APPOINT MEMBERS TO VARIOUS CITY COMMITTEES/
BOARDS**

Motion of Councilperson

WHEREAS, certain vacancies exist on various City Committees/Boards.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that the following appointments be made:

Youth Board

James Stading
Council President Brooks Hawley
Councilperson Pier Cipollone
Connor Logsdon

December 31, 2017
December 31, 2015
December 31, 2015
August 31, 2015

Mall Operating Committee

Joseph Gerace
Jason Molino

December 31, 2016
December 31, 2016

Historic Preservation Commission

Henry Emmans
Joan Barton
Paul Schulte

December 31, 2017
December 31, 2017
December 31, 2017

Community Garden

Carol Boshart
Bob Gray
Denise Young
Valerie Cascell
Rae Ann Engler

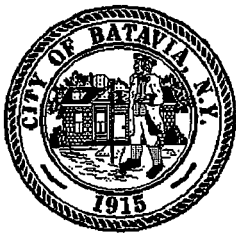
December 31, 2018
December 31, 2018
December 31, 2018
December 31, 2018
December 31, 2017

Batavia Business Improvement District

Councilperson Patti Pacino

March 31, 2016

**Seconded by Councilperson
and on roll call**



City of Batavia

Media Release

FOR IMMEDIATE RELEASE:

The City Council is seeking to fill a part-time City Court Judge position. This position is appointed by City Council to serve a six (6) year term and will be effective April 21, 2015. Minimum qualifications require candidates to be an attorney admitted to practice law in the State of New York for at least five (5) years as of the date he or she commences the duties of the office and must be a resident of the City of Batavia.

All interested candidates please submit a letter of interest to:

City Court Judge
Attn: City Council President Brooks Hawley
One Batavia City Centre
Batavia, New York 14020

If there are any questions, please contact:

Office of the City Manager
One Batavia City Centre
Batavia, New York 14020
Phone: (585) 345-6330
Fax: (585) 343-8182
E-mail: jmolino@batavianewyork.com



City of Batavia Fire Department

18 Evans Street
BATAVIA, NY 14020

PHONE: (585) 345-6375

FAX: (585) 343-5639

Office of the Fire Chief

Internal Memo

Department Officers

Chief Jim Maxwell
1st Platoon Captain Greg Shilvock
1st Platoon Lieutenant Jeff Whitcombe
2nd Platoon Captain Mark Mikołajczyk
2nd Platoon Lieutenant Marty Hinz
3rd Platoon Captain Craig Williams
3rd Platoon Lieutenant Bob Fix
4th Platoon Captain Dan Herberger
4th Platoon Lieutenant Dave Green

To: City Manager Molino and City Council
From: Chief Jim Maxwell
Date: 1/22/2015
Subject: BID Opening for Thermal Imaging Cameras

January 22, 2015

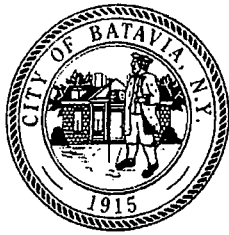
The Fire Department will be conducting a sealed BID opening on Friday, January 23, 2015 at 09:00 a.m. for the purpose of purchasing new thermal imaging cameras.

The results of the BID opening will be presented to City Council at their February 9, 2015 meeting.

The current cameras have become unreliable over the past year and a half and are in need of replacement. The existing units will be declared as surplus and will be disposed of per City policy once the new cameras are in service.

Thank you,


Chief Jim Maxwell



City of Batavia

10 West Main Street * Batavia New York, 14020

Shawn L. Heubusch
Chief of Police

Phone: (585) 345-6350
Fax: (585) 344-1878
Records: (585) 345-6356
Detectives: (585) 345-6370
Youth Detectives: (585) 345-6310

Memo

To: Jason Molino, City Manager

From: Shawn Heubusch, Chief of Police

Date: January 21, 2015

RE: **Various Traffic Grants Award**

Attachments: Grant Award Documents

Cc: Lisa Neary, Deputy Director of Finance

On October 1st, 2014 the City Police were awarded \$10,000 from the NYS Governor's Traffic Safety Committee for the Police Traffic Safety grant. The goal of the program is to increase seat belt usage and reduce aggressive driving, speeding, distracted driving and other dangerous behaviors in an effort to reduce serious injury and deaths resulting from traffic crashes. The funding received will be used to provide for special traffic details throughout the year.

On October 6, 2014 the Genesee County STOP-DWI program was awarded \$28,620 for the 2014/2015 "High Visibility Road Checks/ Saturation Patrols/ DRE Call Out During Impaired Driving Crackdowns" grant. Of the \$28,620 the City of Batavia was then awarded \$10,615 for Enhanced DWI enforcement efforts by the Genesee County STOP-DWI coordinator.

These enhanced efforts include joint DWI patrols or checkpoints with other law enforcement agencies as well as reimbursement for Drug Recognition Expert (DRE) call-outs during the grant period.

The City of Batavia will benefit greatly from these additional DWI details by enhancing the Police Department's ability to conduct more specialized enforcement details to target alcohol or drug impaired drivers.

On January 1st, 2015 the City Police were awarded \$18,906 from the Genesee County STOP-DWI program to provide for specialized patrols targeting drug and alcohol impaired driving. The funding will be used to enhance our traffic safety initiatives.

Feel free to call with any questions you may have. Thank you.

-2015

A RESOLUTION TO AMEND THE 2014-2015 POLICE DEPARTMENT BUDGET TO REFLECT THE RECEIPT OF A POLICE TRAFFIC SERVICES GRANT, A STOP-DWI GRANT AND AN ENHANCED STOP-DWI GRANT IN THE AMOUNT OF \$10,000 (PTS), \$18,906 (STOP-DWI) & \$10,615 (STOP-DWI ENHANCED TO ADDRESS A VARIETY OF TRAFFIC ENFORCEMENT INITIATIVES

Motion of Councilperson

WHEREAS, the City of Batavia Police Department has received a grant in the amount of \$10,000 from the New York State Governor's Traffic Safety Committee for dedicated patrols to increase belt usage and to reduce aggressive driving, speeding, distracted and other dangerous driving behaviors in an effort to reduce serious injury and death from traffic crashes; and

WHEREAS, the City of Batavia Police Department has received a grant in the amount of \$18,906 from the Genesee County Stop-DWI program to combat impaired driving by funding specialized patrol functions and equipment; and

WHEREAS, the City of Batavia Police Department has received a grant in the amount of \$10,615 from the Genesee County Stop-DWI program to combat impaired driving by funding joint and enhanced patrols; and

WHEREAS, to properly account for the expenditure of this money, a budget amendment needs to be made.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that the City Manager be and hereby is authorized to make the following budget amendment to the 2014-2015 budget effective February 9, 2015, to cover various traffic enforcement details card equipment purchases:

Increase expenditure accounts:

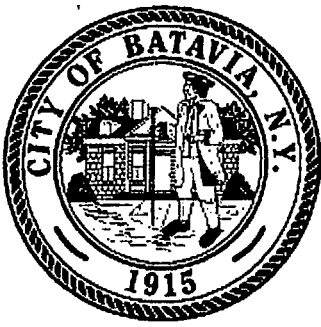
001.3120.0101.1143	\$	9,290.00
001.3120.0802.1143	\$	710.00
001.3120.0101.1144	\$	9,860.00
001.3120.0802.1144	\$	755.00
001.3120.0101.1145	\$	14,866.00
001.3120.0201.1145	\$	2,900.00
001.3120.0802.1145	\$	1,140.00

Increase revenue accounts:

001.0001.0389.1143	\$	10,000.00
001.0001.0389.1144	\$	10,615.00
001.0001.0389.1145	\$	18,906.00

Seconded by Councilperson

and on roll call



To: Jason Molino, City Manager
From: Sally Kuzon, Director of Public Works
Date: January 21, 2015
Subject: New York State Department of Conservation Grant

The City has received a grant from New York State Department of Conservation to develop a city-wide tree management plan. To properly account for the expenditure of these monies, the 2014-2015 budget must be amended. These amendments will increase the appropriate expenditure and revenue accounts.

Supporting Documents

Resolution

#-2015

**RESOLUTION TO AMEND THE 2014-2015 PUBLIC WORKS DEPARTMENT
BUDGET TO REFLECT THE RECEIPT OF A NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION GRANT IN THE AMOUNT OF \$15,000 TO
DEVELOP A CITY-WIDE TREE MANAGEMENT PLAN**

Motion of Councilperson

WHEREAS, the City of Batavia Public Works Department has received a grant in the amount of \$15,000.00 from New York State Department of Environmental Conservation, Division of Lands and Forest; and

WHEREAS, the funding is used to develop a city-wide tree management plan; and

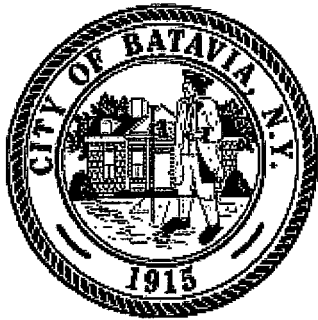
WHEREAS, to properly account for the expenditure of this money, a budget amendment needs to be made;

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that the City Manager is hereby authorized to make the following budget amendment to the 2014-2015 budget to cover various contractual services:

Effective January 26, 2015, amend the 2014-2015 budget by increasing expenditure account 001-7110-0423-1146 by \$15,000.00 and increasing revenue account 001-0001-3910-1146 by \$15,000.00.


Seconded by Councilperson

and on roll call



City of Batavia

To: Honorable City Council

From: Jason Molino, City Manager 

Date: January 22, 2015

Subject: Batavia Development Corporation and Vibrant Batavia

Batavia Development Corporation. In August 2011 the City entered into a two year agreement with the BDC to provide economic development services, and authorized a two-year contract renewal beginning August 2013. Over three years, the BDC successfully facilitated more than \$1,700,000 of public and private community investment, advanced the Community Improvement Plan and is fully responsible for maintaining the momentum ignited by the Batavia Opportunity Area real estate developer's forum.

Initially the City committed most funds from the City revolving loan fund with a minor \$10,000 contribution from the general budget to support BDC operations. In turn, the BDC hired Julie Pacatte, Economic Development Coordinator to tackle initiatives ranging from promoting and managing the revolving loan funds, redevelopment of underutilized sites, grant administration of the City's NY Main Street program and to take a lead in the BOA study and redevelopment activities upon delivery of the recommendations. The BDC has also been leading the Community Improvement Plan activities along with dedicated support of the Vibrant Batavia task force. As a result, the BDC is now working with prospective residential developments within the City, too.

In 2013 City Council renewed the economic development services agreement and moved to provide a dedicated source of funding for economic development. In essence, so long as the City continues to receive Video Lottery Terminal (VLT) aid from New York State, the City Council opted to commit \$125,000 VLT dollars to re-capitalize the City's revolving loan fund and to underwrite other economic development activities. Because VLT aid has not been consistently received from New York State on an annual basis, it is not budgeted as revenue in the City budget; therefore, this commitment is budget neutral.

In the past, the City has treated this as unexpected VLT revenue to support capital projects, add to reserve funds or pay-down debt service. Since this revenue is generated from Batavia Downs, an economic development engine within the community, re-dedicating these funds to further promote economic development within the City is fitting. Again, making this commitment does not hinder the general fund or property taxes and the VLT aid is budget neutral, conversely if the aid was not received, the issue would still remain budget neutral.

Several of the accomplishments and activities of the BDC over the past three years include:

- Fully engaged and responsible for implementing the Brownfield Opportunity Area (BOA) Plan which is the economic development blueprint for the City
- Govern specific economic development recommendations from the City's Community Improvement plan; i.e. guide and coordinate downtown property rehab, consider a hotel project, expand Harvester as an incubator and redevelop the mall
- Administered the City's NY Main Street grant which resulted in \$1,200,000 public and private investment downtown in just two years
- Manage the City's micro-enterprise and revolving loan funds having approved more than 20 applications since 2011 enabling \$744,892 small business investment and impacting more than 50 jobs
- Committed to the Carr's Warehouse redevelopment turning a tax foreclosed property assessed at \$5,000 into a fully occupied 4-apartment with 1-commercial flex space now estimated value upwards of \$200,000. This development will account for the single largest growth in assessed value for a property located in the BID.
- Secured two additional project specific grants from National Grid totaling \$75,000
- Submitted three other grant applications described as Cleaner Greener City of Batavia, not funded; Batavia Micro-Enterprise Program, awarded \$200,000; and coordinated a project specific grant in December 2014 anticipating another \$50,000 commitment from National Grid
- Actively assembling land and seeking access to robust State tax incentive programs that will entice more investment in the BOA strategic redevelopment areas (Della Penna and Creek Side), continued State advocacy required and planned site marketing in 2015
- Initial representative for the collaboration between the City and Town to request the pedestrian trail funding; point person on EPA Brownfield Coalition grant with Genesee Finger Lakes Regional Planning Council and advisor to the GCEDC newly released Micropolitan Redevelopment Loan Fund
- Collaborate with a variety of local agencies to raise awareness and work toward the City of Batavia becoming a community of choice

The BDC was established by local businessmen more than two decades ago to focus on City specific development issues and recently, with City support, has proven to be an effective partner. Over the past three years the BDC has successfully promoted small business development as well as brownfield redevelopment. Several significant redevelopment projects are also in the beginning stages of advancement. The BDC has also provided support for projects that the City does not have the manpower to administer. The BDC will be present at the January 26th Conference meeting to review the past year and introduce projects that are on the horizon.

This partnership is necessary in order to continue to focus on critical business development and redevelopment efforts within the City of Batavia. In the past, only City leadership spearheaded economic development initiatives within the City. While the GCEDC, Genesee County Chamber of Commerce and Batavia Business Improvement District (BBID) have a hand in economic development, each agency has their own mission and priority projects otherwise. In addition, none of the other agencies have the capacity to dedicate time and resources nor the mission of redevelopment and brownfield reinvestment in the City which present more complex issues, resolutions and extraordinary patience.

Moving forward, in order for economic development plans to fully materialize in a way that complements the City Council's strategic planning, the BDC would like to partner and open dialogue with City Council that may re-prioritize and direct resources to projects that should significantly bolster everyone's efforts. This will be critical in achieving a comprehensive economic development strategy for the City in future years.

It is recommended that the agreement with the BDC be extended for an additional three years until August 2018, at which point, the agreement and the BDC's accomplishments can be further reviewed.

Vibrant Batavia. It is recommended that City Council commit \$45,000 for Vibrant Batavia initiatives in the upcoming budget year. In 2011, the City contracted with czb LLC, a neighborhood consulting firm that helps community leaders to create vibrant neighborhoods and downtowns. Czb provided analysis and made recommendations for Batavia's sustainable growth that resulted in the formation of the City's Vibrant Batavia committee and new relationship with NeighborWorks Rochester.

Central to the expert findings was that the City's competitiveness is being undermined by too many residents and community leaders who express little confidence in the community as a place of choice. Therefore, if Batavia is serious about strengthening its economy and its downtown and is committed to improving its neighborhoods, "the community must invest in the programs and staff that can produce the necessary change."

The primary recommendation was to put together a dedicated group of volunteers leading community change. The study strongly recommended the hiring of a full-time individual leader to facilitate these efforts: "There should be no doubt: this effort will not be accomplished only through volunteers." (czb report, page 40).

Hence, a task force was appointed which reviewed the czb plan, suggested a part-time person, they asked for \$50,000 and committed to fundraising to round-out the necessary resources for programming. City Council then approved \$45,000 to support the first year's programming before making another two year commitment.

The Vibrant Batavia Community Network developed a mission statement and plan, created a brand, forged a relationship with NeighborWorks Rochester and selected a community organizer to serve as defined point of contact. The group is now the lead organization for the City's Centennial Celebration having received more than \$122,000 in business community sponsorship pledges this year on top of raising \$28,000 to underwrite the newly released Vibrant Times quarterly publication sent to every address in the 14020 zip code highlighting great attributes, people and history of our community.

Within the first 14 months, more than 120 citizens have volunteered at Vibrant Batavia-hosted or sponsored functions helping to bring together City residents both to the downtown area and within local neighborhood groups. Vibrant Batavia measures is success against metrics such as number of resident volunteers, active leaders, and resident attendees and is expanding those measurements to include web traffic to selected sites, home ownership and improvement education enrollment.

At Vibrant Batavia's core is the goal to stimulate greater pride in Batavia while building capacity for more extensive programs to come. Much of this early effort is aimed at bringing people together,

enabling them to collaborate and empowering residents to take active ownership for their community and its success. Vibrant Batavia is developing positive community leaders.

Experts in renewable communities agree with this type of collaborative focus on engaging citizens. Michael Mehaffy, the Academic Chair of the Future Places Conference, in citing 2014 research on what makes cities successful, recently highlighted the importance of a focus on people. The studies, conducted by the Santa Fe Institute and the University College London showed cities generate economic growth through creating networks of "proximity, casual encounter and economic spillovers," and when they "feature pervasive human-scale connectivity." This last finding specifically stated that "the extent that the city's urban fabric is fragmented, car-dependent or otherwise restrictive of casual encounters and spillovers, that city will underperform." (Mehaffy, M., 19 Sept 2014, "Five Key Themes Emerging From the 'New Science of Cities'").

Similarly, a 2013 report by the National League of Cities found that greater civic participation is most effectively created from the bottom up and the most impactful programs focus on the need for citizens to be involved collaboratively in meaningful ways.

2015 promises to be a year of celebration in Batavia. As the lead organizer of the City's Centennial festivities, the Vibrant Batavia sub-committee has a slate of activities that will further bring civic and business leaders together. A centennial grand-scale legacy item will be identified and joint efforts to install this permanent structure, burial of a time capsule, tree plantings, new historic trails and more will serve as a memorial of the collaboration. A home expo and additional architecture-related and creative art projects will further engage the residents, foster pride and strengthen the neighborhoods.

Having inspired volunteers and dedicated leadership of the community organizer, the City may well experience a renewal and accelerate positive change.

MOTION TO ENTER EXECUTIVE SESSION

Motion of Councilperson

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...".

WHEREAS, Article 7, Section 105(1)(d), of the Public Officer's Law permits the legislative body of a municipality to enter into Executive Session to discuss "...proposed, pending or current litigation...".

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
and on roll call**