

**SPECIAL BUSINESS MEETING MINUTES
CITY OF BATAVIA
MAY 28, 2019**

The special business meeting of the City Council was held Tuesday, May 28, 2019 in the Council Chambers, One Batavia City Centre, Batavia, New York, with Council President Jankowski presiding.

Present were Council President Jankowski and Councilpersons Pacino, Briggs, Christian, McGinnis, Bialkowski and Canale. Councilpersons Viele and Tabelski were absent.

Council President Jankowski called the meeting to order at 7:50 PM immediately following the conference meeting.

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#70-2019

**A RESOLUTION TO EXECUTE AN EMPIRE STATE DEVELOPMENT
REVITALIZATION STRATEGY STUDY INCENTIVE PROPOSAL FOR
THE CITY OF BATAVIA CITY CENTRE SITE**

Motion of Councilperson Bialkowski

WHEREAS, the City of Batavia would like to accept a \$20,000 Empire State Development Incentive Grant for the revitalization strategy study to evaluate the redevelopment potential of the City Centre site in Downtown Batavia, Genesee County; and

WHEREAS, \$10,000 will be has also been provided by private sources for the feasibility study; and

WHEREAS, 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 2019-2020 budget to cover the feasibility study; and

WHEREAS, the City of Batavia will provide matching funds in the amount of \$10,000.

Effective May 28, 2019 amend the general fund budget:
Increase expenditure accounts

001.6460.0423.1182 Community Development – Contract Services \$ 40,000
Increase revenue accounts

1.1.4902.1182 Federal Aid – Planning Studies	\$	20,000
1.1.2705.1182 Gifts and Donations	\$	10,000
Decrease expenditure accounts		
1.1990.0500	\$	10,000

NOW THEREFORE, BE IT RESOLVED, that the City Manager of the City of Batavia, New York, is hereby authorized as the official representative of the City of Batavia to accept the grant on behalf of the City by executing the grant agreement provided by Empire State Development, provide additional information or action as may be required by the grant and amend the budget as set forth above effective June 10, 2019.

Seconded by Councilperson Briggs and on roll call approved 7-0.

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#71-2019

A RESOLUTION AUTHORIZING THE CITY COUNCIL PRESIDENT TO SIGN AN AMENDMENT AND EXTENSION OF THE DWYER STADIUM LEASE AND SUBLEASE AGREEMENT, AND THE CITY MANAGER TO MAKE THE NEEDED FISCAL 2019/20 BUDGET ADJUSTMENTS

Motion of Councilperson Christian

WHEREAS, the City of Batavia is the owner of Dwyer Stadium and the Batavia Regional Recreation Corporation (BRRC) operates and manages the Dwyer Stadium facility as outlined in the Dwyer Stadium Lease Agreement; and

WHEREAS, the BRRC sublets the premises to the Batavia Muckdogs minor league franchise so that the Batavia Muckdogs can use the facility to play its home baseball games at Dwyer Stadium; and

WHEREAS, BATAVIA MUCKDOGS, INC. (BMI) is party to a Management and Operating Agreement by which BMI manages and operates the day to day business of Batavia Muckdogs, pursuant to and as more particularly provided for by the Management and Operating Agreement; and

WHEREAS, the Sublease Agreement provides for \$25,000 for each of years one (1), two (2), and three (3) of the agreement for the purpose of repairs and upgrades at Dwyer Stadium; and

WHEREAS, the City of Batavia Administrative Reserve Fund has a balance of approximately \$84,297, with \$25,000 of the balance committed for use in the 2019-20 budget; and

WHEREAS, the BMI has requested that the City of Batavia advance the \$25,000 allocated for year two (2) to be utilized in year one (1) for essential repairs and upgrades prior to the opening of the upcoming 2019 baseball season; and

WHEREAS, BMI agrees to forego any allocation in year two (2), and to return the \$25,000 in advanced funds should the BMI stop using the field in year two (2); and

WHEREAS, the parties need to amend the Sublease agreement and adjust the Fiscal 2019/20 budget.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that the Council President by and is hereby authorized to sign said Amendment of the Dwyer Stadium Sublease Agreement as attached on behalf of the City of Batavia; and

BE IT FURTHER RESOLVED, by the City Council of the City of Batavia that the City Manager be and hereby is authorized to make the following budget amendment:

Effective May 28, 2019, amend the 2019-20 budget by increasing the following expenditure account:

001.1620.0439.2105	\$25,000.00
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And by increasing the following revenue account:

001.0001.0511.2105	\$25,000.00
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Seconded by Councilperson Canale and on roll call approved 6-1. Councilperson McGinnis voted no.

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MOTION TO ENTER EXECUTIVE SESSION

Motion of Councilperson Pacino

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 Briggs and on roll call approved 7-0.

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Meeting Adjourned at 7:52 PM.

Respectfully submitted,

**Heidi J Parker
Clerk-Treasurer**