

CITY OF BATAVIA – CONFERENCE MINUTES

MONDAY, JUNE 24, 2019

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

Call to Order

Council President Jankowski called the meeting to order at 7:00 PM. Councilperson Tabelski led the Invocation and the Pledge of Allegiance.

Public Comments

Deb Kerr Rosenbeck, 13 Lewis Ave, noted that at the last meeting the East Ave bike markings were discussed and she cautioned Council from taking funds that require you to do something that doesn't make sense. She noted that her grandson thought the markings meant he could ride in the street. Mr. Worth noted that it is a new symbol but meant to alert motorists that they may encounter bicyclists. He noted that bikes are expected to observe the same rules as before.

Council Response to Public Comments

Councilperson Pacino noted that she would like to see some publicity in the paper to explain the markings.

Communications

The Batavia Police Department submitted an application for National Night Out 2019 on Tuesday, August 6th from 6:00 – 8:00pm at City Church on Liberty St. Councilperson Briggs noted that this was a community event to make neighborhoods safer and was a free event with food, beverages, and many kids' activities. She noted that funds raised above expenses would be donated to the Batavia PD K-9 Unit.

Council President's Report

Council President Jankowski announced the next regular City Council Business and Conference meeting to be held on Monday, July 8, 2019 at 7:00pm at the City Hall Council Board Room, 2nd Floor, City Centre.

Council President Jankowski presented a proclamation to Ralph Bush who witnessed a physical struggle between a male and a police officer. Mr. Bush offered assistance to Officer Streeter by knocking a gun from the male's hand. Mr. Bush was recognized for his quick action. Officer Streeter emotionally recounted what happened and noted that Mr. Bush could have just driven away but chose not to and instead came to his aid.

Councilperson Pacino made a posthumous proclamation to Michael Paladino, Jr who witnessed two people being assaulted and rushed to their aid. She explained that Mr.

Paladino sustained mortal injuries and he gave his life to help another. Mr. Paladino's family was there to receive the proclamation.

Public Hearing for Local Law No. 3 of 2019 Amending § 22-5 Residency for New Municipal Employees of the Batavia Municipal Code

A motion to open the public hearing was made by Councilperson Briggs, seconded by Councilperson Bialkowski, and on roll call, approved 8-0.

Deb Kerr Rosenbeck, 13 Lewis Ave, noted that she moved to the City of Batavia in 1987 for her job and think people that live here have a more vested interest in the City when they work here. She felt that it was a contradiction to let people work here but not have to live in the City but board volunteers have to be City residents. She didn't feel it was consistent.

John Roach, 116 Grandview Ter, felt that City employees that don't have management responsibilities are hard to recruit with the current requirements and think the proposed local law is a good one.

Bob Gray, 8922 Fargo Rd, Stafford, noted that he was born and raised in Batavia, worked in Batavia, and was on the Community Garden board when it was founded but was removed because he was not a resident. He noted that he took that as a slap in the face and, because of rules, they couldn't have three meetings because there were not enough members. He noted that he is a master gardener who devoted volunteer hours for the betterment of the City, the garden is totally self-sufficient, and asked Council to review Chapter 15 of the code as it's detrimental to the City of Batavia.

Councilperson Pacino noted that she has toured the garden and it's incredible and thinks maybe a mistake was made and asked what can be done to make it right. Council President Jankowski noted that the residency requirement for volunteer boards is in the Charter, not simply a resolution that can be easily changed. Mr. Van Nest, City Attorney, noted that a charter amendment would need to be done to change the Charter requirements. Council President Jankowski suggested making a list of charter changes to see if a charter review would be warranted. Councilperson Tabelski suggested changing the bylaws of the Community Garden to reduce the number of members required so they can have a quorum and can conduct their business. Councilperson Bialkowski noted that he was really impressed with the Community Garden and was glad that the two non-City residents stayed on as advisory members. He noted that charter changes take about a year to take place and are very extensive. Councilperson Canale asked how the change to the Community Garden was communicated to the non-residents on the board. Jocelyn Sikorski, Youth Director, noted that she met with Mr. Moore and the two non-residents, explained what happened, and changed the language in the bylaws and their roles. She noted they were key players in the establishment of the committee. Councilperson Christian thought that employees should have to live in the City or this County. Council President Jankowski noted that the state requirement is for employees to live in the county or adjacent county so this new requirement would actually be more restrictive than state requirements. Councilperson Briggs noted that we are just trying to hire the best people and the best qualified.

Schedule a Public Hearing for Dwyer Stadium Repair Reserve Budget Adjustment

Council President Jankowski noted that there was a request for early release of funds for Dwyer Stadium, need a public hearing, and looking to move the public hearing vote to the special business meeting agenda tonight. Council agreed to move the item to the special business meeting immediately following.

Zoning Recommendation for Zoning Change to Allow Public Storage Units

Mr. Worth noted that in December there was a request to allow public storage units which were not addressed anywhere in the code. He noted that they have now been identified with a definition and where they can be located. He explained that Council has the Planning and Development Committee (PDC) recommendations and it will now go to County Planning for their comments. He noted at this point he is just looking for Council and the City Attorney's comments. Mr. Van Nest noted that Council has to look at this to see if the zoning change makes sense and don't just consider the project that precipitated the change. Mr. Moore noted that the PDC is an extremely thoughtful and deliberate body and it's a good use for industrial zones. Councilperson Bialkowski was totally in favor of the change for public storage units. Mr. Worth noted it will require a special use permit for all projects as well and the next step is to move it to County Planning. Council approved to move it forward.

Facility Reserve Allocation for City Centre Concourse Roof

Mr. Worth noted that the mall roof bids came in more appropriately than previous bids. He was asking to use \$100,000 in facility reserve funds, and hopes to replenish the reserve with some savings on other projects, to also award the first alternate bid so almost the entire concourse can be done. He noted that some other areas will be done with DRI funds. Council agreed to move the item forward.

Bid Award for City Centre Concourse Roof Repairs

Mr. Worth noted that the low bidder was Grove Roofing out of Buffalo and the project would begin at the end of summer. Councilperson Bialkowski asked when the entrances would be done since that is the first thing people see when they walk into the City Centre. Mr. Worth noted that they only got one bid, it was too high, and some remedial work will be done until they can get DRI funds. Mr. Moore complimented Mr. Worth and his staff for their hard work. Mr. Worth noted they also met with the mall merchants group to keep them informed. Council agreed to move the item forward.

BOA Pre-Development Grant Application

Rachael Tabela, BDC, was seeking permission to submit a grant application for BOA pre-development. She noted there are three BOA projects that coincide with DRI sites and this is an application to bring more funds to these types of sites. She explained that one of the sites is the City Centre campus, she worked with Mr. Moore and LaBella to identify the area and the match would be in-kind. She noted that the funds could be used for design work for projects like the police department. Council agreed to move the item to the

business meeting immediately following.

Schedule a Public Hearing for CDBG Economic Development Funding to Support Genesee Dental

Mrs. Tabelski noted that Genesee Dental wanted to apply for a grant and a public hearing would need to be held. She noted that there was no fee to the City and the City was just there to support the grant and can help businesses apply. Councilperson Christian noted that she would recuse herself from the actual vote since they are her dentist but thought it was a great use for this building. Council agreed to move the item to the business meeting immediately following.

School Resource Officer MOU with Batavia School District

Chief Heubusch noted that as part of the budget process they worked with the school to provide a school resource officer (SRO) and he highlighted what the SRO would provide. He noted that we are the only school district in the area without an SRO and the school has already approved the MOU on their end. Mr. Moore noted that we will need to make sure this position is in the budget and will need a vehicle so keep one vehicle that we would normally get rid of. He stated that the MOU calls for up to three SRO's. Council President Jankowski asked what they would do in the summer. Chief Heubusch noted they are working with the union to determine what they would do. Councilperson Pacino thought it was a great idea. Mr. Moore noted that Mr. Van Nest recommended there be multiple signers. Chief Heubusch noted that if the SRO can't come to work there is no plan to backfill. Councilperson Bialkowski asked if the school doesn't want to continue in the program what would be done with the employee. Chief Heubusch stated that hopefully we could keep them and get back to original staffing through attrition. Council agreed to move the item forward.

Revolving Loan Fund Grant Policy

Mrs. Tabelski noted that this is the policy to use the revolving loan fund so funds can start to be granted out to businesses. She noted that the policy identifies requirement of how funds can be spent, required funds to be maintained, and the ultimate decision if funds can be spent on a specific project is up to Council. Council agreed to move the item forward.

Temporary Water Plant Trainee Position

Mr. Worth explained that there was a retirement and another coming up in August and this would create an additional position so there could be some overlap until August for training purposes. He noted that we can use the trainee to help with the two retirements. Council agreed to move the item forward.

Sale of Surplus Police Vehicle Budget Adjustments

Chief Heubusch noted that they surplused one vehicle this year and that Ford changed their interior dimensions so a lot of equipment is obsolete. He is asking to use funds to purchase a new vehicle. Council agreed to move the item forward.

DPW Vehicle Surplus for Disposal

Mr. Worth noted that this is just to formally correct the VIN # of the vehicle that was actually traded in. Council agreed to move the item forward.

Accept Funds and Amend Youth Bureau Budget for YMCA Contributions to Teen City

Mrs. Sikorski requested permission to accept funds from the YMCA and amend the budget for revenue and expense associated with this. Council agreed to move the item forward.

Conference Meeting adjourned at 8:30 PM.

Respectfully submitted,

**Heidi J. Parker
Clerk-Treasurer**