

CITY OF BATAVIA – CONFERENCE MINUTES

MONDAY, NOVEMBER 28, 2016

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

Call to Order

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

Public Comments

Guy Clark, 111 Cedar St, noted that he was the owner of Cedar St Sales and Rental and applauded the planning board for their work on the sign code revisions but disagreed with the changes for digital signs. He noted under the proposed law, he can't own a sign in an industrial zone and would like to see that changed. He also wanted to allow the sign message to change once every 10 seconds.

John Roach, 116 Grandview Terr, stated that he agreed with Mr. Clark but also wanted Council to vote against the \$25 per year sign tax. He felt that if the City was trying to be business friendly then they shouldn't tax them.

Council Response to Public Comments

Councilperson Christian thought that people that already have signs should be grandfathered in to the proposed code.

Communications

Little Ridge submitted a liquor license renewal and there were no objections from the police department. Council approved.

Council President's Report

Council President Jankowski announced the next regular City Council Business meeting to be held on Monday, December 12, 2016 at 7:00pm at the City Hall Council Board Room, 2nd Floor, City Centre.

Sign Code Revisions

Mr. Molino noted that the planning committee spent several months revising the sign code and explained that a digital sign is a function of a sign, not a sign type. He noted that the code was updated with graphics of what the different sign types look like, the approval process would be streamlined and potentially be cut by 30-45 days, and the fee was for the annual permit and review. He noted that the time was changed to once every hour but Council could change that to be shorter or longer. Mr. Molino explained that they could

grandfather in the six properties that would be in violation of the new code. He felt the new code was much easier to use and the next step was a consensus to the changes, a public hearing and adoption of the new code. Council President Jankowski recommended changing the once every “hour” to once every “10 seconds” in section Z7c. On roll call, Council approved the change by a vote of 8-0.

Section Z7m required a \$25 per year permit fee and Council President Jankowski made a motion to strike that requirement. The motion was seconded by Councilperson Christian and approved 8-0 on roll call.

Section AA1 would probably need legal wording so the grandfathering isn’t misconstrued and want the existing non-conforming signs to be grandfathered in. Councilperson Canale asked why the signs weren’t allowed in industrial zones. Mr. Molino noted they were allowed in industrial zones along state highways. Councilperson Canale noted that he was concerned about commercial businesses setting up in an industrial zone that may want to advertise. Council President Jankowski noted that they weren’t taking anything away from anyone right now. Mr. Molino noted that some language would need to be looked at, recognized that Council wants to authorize existing signs to be functional, and he would review the section with the City attorney for contradictions. Council President Jankowski made a motion to revise language to allow the six businesses to be grandfathered in that already have digital signs. Motion seconded by Councilperson Christian and approved 8-0 on roll call. Mr. Molino noted that he would have a resolution in December for public hearing in January.

Prosecutorial Services Agreement with Genesee County

Mr. Molino suggested a one year extension so the City could review the agreement to make sure we are getting the best service. Council President Jankowski asked if it would cost more annually to go from a three to one year contract and Mr. Molino noted there would be no premium charged by executing a one year agreement. Council was in favor of moving the item to the next business agenda.

2017 Council Meeting Schedule

Council President Jankowski noted that this was the proposed meeting schedule for the following year. Council was in favor of moving the item to the next business agenda.

2016/2017 6-Month Budget Projections

Mr. Molino noted that this had been done for the past 7-8 years to let Council know where we are midway through the year. He noted that tax foreclosure expenses are higher because we have to pay school taxes on the properties we take over and keep through foreclosure. He recommended a \$15,000 increase to the tax foreclosure budget out of contingency to the clerk’s budget. He highlighted other minor budget changes and noted that sales tax revenue is low right now and we may end up \$50,000 - \$100,000 under budget. Council agreed to move the items to the next business agenda.

Community Choice Aggregation (CCA) Control/Reduce Energy Supply

Councilperson Tabelski noted that he attended a training workshop and thought the areas were applicable to the City. He explained that anyone can shop around for the supply portion of their energy bill and that CCA just became available. He noted that municipalities could procure that commodity and it was a newer program that we could look at to help out the residents.

CFLRPC Conduct Form NYSEDA Clean Energy

Councilperson Tabelski noted that this was another new initiative that identified action items for a community and suggested considering staff from the planning council to present at a meeting to see if it's worthwhile. Councilperson Christian thought it was a great idea and Councilperson Pacino thought it was worth pursuing. Mr. Molino suggested contacting Mr. Zorn and have an evening meeting to cover a lot of information. He noted the City could arrange for a presentation and Council agreed to have Mr. Molino look into it further.

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Executive Session – Employment

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...".

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.

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Conference Meeting adjourned at 7:55 PM.

Respectfully submitted,

**Heidi J. Parker
Clerk-Treasurer**

11/28/2016