

**Auburn City Council
Regular Meeting
Thursday, December 12, 2019 6:00 P.M.
City Council Chambers
Memorial City Hall
24 South St.
Auburn, NY 13021**

Minutes

The meeting of the Auburn City Council was called to order at 6:00PM in the City Council Chambers 24 South St. Auburn NY by Mayor Quill.

1. Roll Call – The City Clerk called the roll. Mayor Quill and Councilors McCormick, Giannettino, Cuddy and Carabajal were all present.

The following City Staff was present for the regular meeting:

- City Manager, Jeff Dygert
- Corporation Counsel, Stacy DeForrest
- City Clerk, Charles Mason
- Director of Capital Improvement Program and Grants, Christina Selvek
- Deputy Police Chief, Roger Anthony
- Director of Municipal Utilities, Seth Jensen
- Superintendent of Engineering, William Lupien
- Superintendent of Public Works, Mike Talbot
- Fire Chief, Joe Morabito

2. Pledge of Allegiance to the Flag – Mayor Quill led the Pledge of Allegiance.

3. Moment of Silent Prayer or Reflection – Mayor Quill asked for a moment of silent prayer.

4. Public Announcements

The City Clerk read the announcements.

5. Ceremonial Presentations and Proclamations.

6. Public to be Heard – Mayor Quill opened the Public to be Heard portion of the Council meeting and the Clerk read the Public to be Heard rules.

David Anthony Scott, 63 South Street and CEO of New Batavia, LLC, spoke to discuss statistics he had shared with the attendees of a recent community forum hosted by the Harriet Tubman Center for Justice and Peace.

7. Approval of Meeting Minutes

December 5, 2019 Council Meeting Minutes

Motion to approve the November 26, 2019 minutes carried 5-0.

8. Reports of City Officials

A. City Manager's Report

- After several months of behind the scenes planning and programming, this week we are implementing our new Muncity software. Training began this week and will continue into next week on this new software that will help to streamline our Code Enforcement workflow while integrating information between several departments like the Assessor's Office, Police, Fire, Corp Counsel, and Public Works. The software will run along with our current processes for a few weeks while staff works out bugs and becomes more familiar. Additional capabilities and features will be added once the basics are established.
- Our new approach to finding a new owner for 113 North St., the Seymour Mansion, is attracting a tremendous amount of interest. Earlier today our realtor, Mike DeRosa, shared some statistics he was able to gather about the potential interest. He has created a webpage Seymourmansion.com that has had over 62,000 views from 43,800 different viewers in the last two weeks. There have been over 30,000 Google searches related to the mansion. Mr. DeRosa has responded to over 120 e-mail requests for more information and continues to guide interested buyers through the process of putting together their proposals. We have had several visits from interested buyers from all over the country and a variety of media outlets both locally and nationally have passed along the story of the Seymour Mansion. I'm optimistic that we will find a capable and qualified new owner for the property who will preserve the architectural and cultural history of this beautiful building.

B. Reports from members of Council

9. Matters to Come Before Council

A. State Environmental Quality Review Act Resolutions (SEQR) - None

B. Ordinances

The City Clerk read the first reading of Bond Ordinance #8 of 2019.

BOND ORDINANCE #8 OF 2019

**BOND ORDINANCE OF THE CITY OF AUBURN, NEW YORK, AUTHORIZING THE
ISSUANCE OF \$10,000,000 SERIAL BONDS TO FINANCE THE COST OF THE
CONSTRUCTION OF A NEW PUBLIC SAFETY BUILDING.**

BE IT ORDAINED by Council of the City of Auburn, New York as follows:

Section 1. The City of Auburn, New York (the "City") is hereby authorized to undertake the construction of a new public safety building, whether or not including grading or improvements of the site, original furnishings, equipment, machinery or apparatus required for the purposes for which such building is to be used, at an estimated maximum cost of \$10,000,000 and to issue an aggregate \$10,000,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid object or purpose.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$10,000,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$10,000,000 in serial bonds (the "Bonds") of the City authorized to be issued pursuant to this Ordinance; PROVIDED, HOWEVER, that to the extent that any Federal or State grants-in-aid are received for such class of objects or purposes, the amount of Bonds to be issued pursuant to this Ordinance shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty (30) years pursuant to paragraph 11(a)(1) of Section 11.00(a) of the Local Finance Law.

Section 4. Pursuant to Section 107.00(d)(9) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this Ordinance.

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the City, payable as to both principal and interest by a general tax upon all the real property within the City without legal or constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this Ordinance and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to issue bonds providing for level or substantially level or declining annual debt service, is hereby delegated to the City Comptroller, the Chief Fiscal Officer of the City.

Section 8. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this Ordinance shall be from the City's General Fund. It is intended that the City shall then reimburse such expenditures with the proceeds of the Bonds and bond anticipation notes authorized by this Ordinance and that the interest payable on the Bonds and any bond anticipation notes issued in anticipation of the Bonds shall be excludable from gross income for federal income tax purposes. This Ordinance is intended to constitute the declaration of the City's "official intent" to reimburse the expenditures authorized by this Ordinance with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Treasury Regulation Section 1.150-2. Other than as specified in this Ordinance, no moneys are reasonably expected to be received, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. The serial bonds and bond anticipation notes authorized to be issued by this Ordinance are hereby authorized to be consolidated, at the option of the City's Comptroller, the Chief Fiscal Officer, with the serial bonds and bond anticipation notes authorized by other Bond Ordinances previously or hereafter adopted by the City Council for purposes of sale in to one or more bond or note issues aggregating an amount not to exceed the amount authorized in such ordinances. All matters regarding the sale of the bonds, including the date of the bonds, the use of electronic bidding, the consolidation of the serial bonds and the bond anticipation notes with other issues of the City and the serial maturities of the bonds are hereby delegated to the City Comptroller, the Chief Fiscal Officer of the City.

Section 10. The validity of the Bonds authorized by this Ordinance and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of this Ordinance or a summary hereof are not substantially complied with, and an action, suit or

proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 11. The City Comptroller, as Chief Fiscal Officer of the City, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the City to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12.

Section 12. This Ordinance, or a summary of this Ordinance, shall be published in the official newspapers of the City for such purpose, together with a notice of the Clerk of the City in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. This Ordinance is not subject to a mandatory or permissive referendum.

Section 14. The Council hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this Ordinance.

Section 15. This Ordinance shall take effect immediately upon its adoption.

C. Local Laws – none

D. Resolutions - none

Tabled Items - none

STAFF/VENDOR PRESENTATIONS

Christina J. Selvek, Dir. of Capital Projects & Grants provided an overview of information pertaining to Bond Ordinance #8 of 2019 Authorizing the Issuance of \$10,000,000 in Serial Bonds to Finance the Cost of the Construction of a New Public Safety Building

Background:

On March 21, 2019 the City Council adopted the FY 2019-2023 Capital Improvement Program for the City of Auburn. Proposed within the FY 2019 CIP is the estimated capital cost of \$10,000,000 for the purpose of constructing a new Public Safety Building. The primary purpose of the building is to house the Auburn Fire Department which would be relocated from the c. 1930s headquarters at 23 Market Street to the new purpose built facility. In addition, the new construction would allow for shared service partnerships with Cayuga County and the relocation

of the County Emergency Operations Center from the basement of the County Office Building to the new building as well as potential other County emergency operations.

Over the last five years, the City has sought to finance the cost of the project through alternative means, but has settled on the municipally acceptable design, bid, build process. In 2016, the City received an award of \$2 million from NYS DEC supporting the City's need to relocate essential facilities out of possible floodways. Then in 2019, the City secured an additional \$1.2 million from NYS DOS through the Downtown Revitalization Initiative Program towards a new public safety facility.

At this time, the City is ready to proceed with procuring project consultants and moving forward with the construction of a new purpose-built public safety building. In order to do so, a municipal bond authorization is required. Staff is recommending the City to bond for the entire cost of the project which is estimated at \$10 million. This estimate is in line with other recently completed building projects within Upstate NY. The grant funds outlined above would be applied to the bond authorization with a total municipal borrowing capped at \$6.8 million.

City staff will be in attendance at the meeting to discuss the potential long-term financial impacts of this important capital project on future capital project borrowing and the City's 5-year financial plan.

Councilor Giannettino requested that there be further presentation to the Council at a future Council meeting to present the fiscal impact of the Public Safety Building Project and how the project will impact the City's long term financial plan.

10. Other Business –

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:41 p.m.

Minutes submitted to the City Council on December 19, 2019 by:

Charles Mason
City Clerk