

**Auburn City Council
Regular Meeting
Thursday, January 16, 2020 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 Michael Quill and Councilors Jimmy Giannettino, Terry Cuddy and Tim Locastro were all present. Councilor Debra McCormick was excused.

The following City Staff was present for the regular meeting:

- City Manager, Jeff Dygert
- Assistant Corporation Counsel, Nate Garland
- City Clerk, Charles Mason
- Director of Municipal Utilities, Seth Jensen
- Director of Planning and Economic Development, Jennifer Haines
- City Comptroller, Rachel Jacobs

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

5. Ceremonial Presentations and Proclamations.

The City Clerk read the following proclamation...

WHEREAS, Dr. Martin Luther King Jr. devoted his life to advancing equality, social justice, and opportunity for all, and challenged all Americans to participate in the never-ending work of building a more perfect union; and

WHEREAS, Dr. King's teachings can continue to guide and inspire us in addressing challenges in our communities; and

WHEREAS, the King Holiday and Service Act, enacted in 1994, designated the King Holiday as a national day of volunteer service, and charged the Corporation for National and Community Service with leading this effort; and

WHEREAS, since 1994 millions of Americans have been inspired by the life and work of Dr. Martin Luther King Jr. to serve their neighbors and communities on the King Holiday; and

WHEREAS, serving on the King Holiday is an appropriate way to honor Dr. King, meet local and national needs, bring our citizens together, and strengthen our communities and nation; and

WHEREAS, the King Day of Service is the only federal holiday commemorated as a national day of service, and offers an opportunity for Americans to give back to their communities on the holiday and make an ongoing commitment to service throughout the year; and

WHEREAS, King Day of Service projects are being organized by a wide range of nonprofit and community organizations, educational institutions, public agencies, private businesses, and other organizations across the nation; and

WHEREAS, each of us can and must contribute, support, and implement projects that increase economic opportunities, improve education, support veterans and military families, help combat the opioid crisis, and help communities prepare for and recover from disasters.

NOW, THEREFORE, I, Michael D. Quill, Mayor of the City of Auburn, New York, on behalf of the City Council and the citizens of Auburn, do hereby proclaim January 20, 2020, as a Day of Service in honor of

DR. MARTIN LUTHER KING, JR.,

in the City of Auburn, and call upon the people of this community to pay tribute to the life and works of Dr. Martin Luther King Jr. through participation in community service projects on Martin Luther King Day and throughout the year.

Michael D. Quill, Mayor
City of Auburn, New York

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.

Christina Selvek along with several scouts from the local Girl Scouts announced that cookie sales are now happening.

Joe Sarnicola spoke to support Agreement Resolution #12 of 2020 an Agreement for Repayment of Taxes Owed at 3 East Genesee Street

7. Approval of Meeting Minutes -

January 2, 2020 Council Meeting Minutes

Motion to approve the January 2, 2020 minutes by Councilor Giannettino, seconded by Councilor Cuddy. Motion to approve carried 4-0.

8. Reports of City Officials

A. City Manager's Report

- Earlier this week staff received revised program guidance from HUD related to our annual Community Development Block Grant (CDBG) program. In order to properly review and potentially apply changes to our proposed CDBG plan, we respectfully request City Council

amend tonight's resolution to reflect a change in date for the CDBG public hearing to February 27, 2020.

- Bob Scarbrough has resigned his position as General Manager of the Doubledays. Staff has met with David Lindberg who has been working with the Doubledays for a few seasons to make sure operations continue as needed in the immediate future. We will continue to develop a revised operational plan over the next week or two.

B. Reports from members of Council

9. Matters to Come Before Council

A. State Environmental Quality Review Act Resolutions (SEQR)

B. Ordinances

C. Local Laws – none

D. Resolutions -

COUNCIL RESOLUTION #3 of 2020

AUTHORIZING A PUBLIC HEARING FOR THE 2020-2024 COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED PLAN AND THE 2020-2021 COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN

By Councilor Locastro
2020

January 16,

BE IT RESOLVED, by the City Council of the City of Auburn, New York, that it does hereby authorize that a Public Hearing be held before the City Council of the City of Auburn, New York, on the 27th day of February 2020 at 5:00pm at City Council Chambers, 1st floor, Memorial City Hall, Auburn, New York concerning the 2020-2024 Community Development Block Grant Consolidated Plan and the 2020-2021 Community Development Block Grant Annual Action Plan.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to advertise this resolution in the official newspaper of the City of Auburn in accordance with the governing State and local requirements.

Seconded by Councilor Giannettino

	Ayes	Noes	Excused
Councilor McCormick			X
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Locastro	X		
Mayor Quill	X		
Carried and Adopted	X		

AGREEMENT RESOLUTION #4 OF 2020

**AUTHORIZING AN AGREEMENT WITH HUEBER-BREUER FOR CONSTRUCTION
MANAGEMENT SERVICES**

By Councilor Locastro

January 16, 2020

WHEREAS, the Auburn City Council authorized Bond Ordinance #1 of 2020, which approved the expenditure of funds up to \$10 million allowing the City to proceed with the management, design, construction, and inspection phases of the Auburn Public Safety Building Project; and

WHEREAS, a request for proposals for construction management services was released on November 12, 2019 with the City receiving six (6) responses from construction and engineering firms, and four (4) consulting teams were interviewed on December 20, 2019; and

WHEREAS, Hueber-Breuer Construction Co., Inc., Division of Fire Protection Services was selected as the top qualified consulting team to provide construction management services for the Auburn Public Safety Building Project; and

WHEREAS, it is now necessary that Hueber-Breuer Construction Co., Inc. be awarded the contract for the construction management services portion of the Auburn Public Safety Building Project in an amount not to exceed \$831,750.00.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby award a contract to Hueber-Breuer Construction Co., Inc., for the construction management

services portion of the Auburn Public Safety Building Project in an amount not to exceed \$831,750.00; and

BE IT FURTHER RESOLVED that the Mayor, or appointed designee, is authorized to sign the agreement and all other documents relating to the agreement on behalf of the City of Auburn; and

BE IT FURTHER RESOLVED that the cost of the construction administration and inspection services in the amount of \$831,750.00 is to be charged to the Public Safety Building capital account #HA1620-440-PSB.

Seconded by Councilor Cuddy

	Ayes	Noes	Excused
Councilor McCormick			X
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Locastro	X		
Mayor Quill	X		
Carried and Adopted	X		

COUNCIL RESOLUTION #5 OF 2020

ADOPTING A BUDGET CALENDAR FOR THE PREPARATION OF THE FISCAL YEAR 2020-21 CITY BUDGET

By Councilor Giannettino

January 16, 2020

WHEREAS, the City Budget is the financial document that funds the many services provided by local city government; and,

WHEREAS, the City's fiscal year begins on July 1st of each year and the City Council must adopt a final City Budget by the end of June each year for the next budget year; and,

WHEREAS, adequate preparation, review, and eventual adoption of the annual City Budget is an open process that lasts several months; and,

WHEREAS, for the preparation of the Fiscal Year 2020-21 budget, the City Manager recommends the following attached budget calendar be adopted.

NOW, THEREFORE, BE IT RESOLVED, that the City Council sets the attached listed dates as the official budget calendar for the preparation of the City of Auburn Fiscal Year 2020-21 Budget and that all business pertaining to the City Council called for in said calendar will be scheduled as part of regular City Council meeting agendas in accordance with the Council Rules and Procedures; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to notify the public of the dates as set forth herein and that throughout this budget preparation process the City Clerk shall immediately make available to the public all budget related documents as they become available to the Council.

Seconded by Councilor Cuddy

	Ayes	Noes	Excused
Councilor McCormick			X
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Locastro	X		
Mayor Quill	X		
Carried and Adopted	X		

FINANCIAL RESOLUTION #6 OF 2020

ADOPTING THE 2020 CAYUGA COUNTY TAX RATE AND CITY OF AUBURN SHARE OF THE CAYUGA COMMUNITY COLLEGE CHARGES

By Councilor Locastro

January 16, 2020

WHEREAS, the City of Auburn has been notified by the Cayuga County Legislature that, in accordance with Resolution #435-19, adopted by the County Legislature on December 12, 2019, the City of Auburn's participation in the 2020 County Tax will be in the amount of \$8,727,457.61 compared to last year's amount of \$8,804,788.20, a decrease of \$77,330.59. The full amount to be raised by property taxes in the entire County is \$41,525,905, that produces the City's share of the County tax levy is 21.02%; and

WHEREAS, the Cayuga County Legislature included within its Resolution #435-19 of 2019 charges to the City taxpayers for the collection of costs related to the preparation and mailing of County tax bills within the City in the amount of \$4,980.66; and

WHEREAS, the City of Auburn has been notified by the Cayuga County Legislature that, in accordance with Resolution #381-19, adopted by the County Legislature on November 26, 2019, the City of Auburn's proportionate share for the Cayuga Community College charges in the amount of \$170,529.31 is to be added to the 2020 County Tax to be raised from the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Auburn, New York hereby adopts the 2020 County Tax Rate in the City of Auburn in the amount of \$8.339814 per \$1,000 of assessed valuation for the City's share of the County tax, and \$0.162862 per \$1,000 of assessed valuation for the City's share of the Cayuga Community

College charges for a total County tax rate of \$8.502676 per \$1,000, with an increase of \$0.000289 per \$1,000 over the 2019 rate; and

BE IT FURTHER RESOLVED that the Auburn City Council hereby adopts the 2020 County tax rate and authorizes the preparation of the necessary tax bills.

Seconded by Councilor Cuddy

	Ayes	Noes	Excused
Councilor McCormick			X
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Locastro	X		
Mayor Quill	X		
Carried and Adopted	X		

FINANCIAL RESOLUTION #7 OF 2020

ADOPTING THE 2020 SEYMOUR LIBRARY TAX LEVY

By Councilor Locastro

January 16, 2020

WHEREAS, the Seymour Public Library District comprising the City of Auburn and the Town of Owasco was created by referendum on October 14, 1992, with the subsequent addition of the Auburn School District portion of the Town of Sennett in January 1996 and the Town of Fleming in 2011; and

WHEREAS, the share of the 2020 operating budget to be raised by the City of Auburn from a local assessment against the real property within the boundaries of the municipality will be \$488,707.40; and

WHEREAS, the Library has requested the City of Auburn advance half of this amount in February 2020;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn, New York, that \$488,707.40 is to be levied on the 2020 City of Auburn property tax bills on a separate library tax line and an advance in the amount of \$244,353.70 be paid in February 2020 which will reduce the August 2020 payment.

Seconded by Councilor Giannettino

	Ayes	Noes	Excused
Councilor McCormick			X
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Locastro	X		
Mayor Quill	X		
Carried and Adopted	X		

COUNCIL RESOLUTION #8 OF 2020

**ADOPTING THE CITY OF AUBURN
INVESTMENT POLICY**

By Councilor Cuddy

January 16, 2020

WHEREAS, New York State General Municipal Law Section 39, entitled “Investment Policies for Local Governments” states that “Each local government...shall by resolution adopt a comprehensive investment policy which details the local government’s operative policy and instructions to officers and staff regarding the investing, monitoring and reporting of funds of the local government”; and

WHEREAS, the City of Auburn has written a policy in accordance with New York State requirements for review and adoption by the Auburn City Council; and,

WHEREAS, the City has seen monthly investment income growth since the implementation of this Policy in 2014.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby adopt a policy for the City of Auburn in relation to the investment of public funds in accordance with New York State General Municipal Law § 39.

Seconded by Councilor Giannettino

	Ayes	Noes	Excused
Councilor McCormick			X
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Locastro	X		
Mayor Quill	X		
Carried and Adopted	X		

COUNCIL RESOLUTION #9 OF 2020

**AUTHORIZING THE ADOPTION OF A
CITY OF AUBURN PROCUREMENT AND SURPLUS POLICY**

By Councilor Locastro

January 16, 2020

WHEREAS, the City of Auburn maintains and annually adopts a Procurement and Surplus Policy, which regulates competitive bidding and public service contracts so that taxpayers may receive goods and services at the lowest reasonable prices; and

WHEREAS, New York State General Municipal Law requires municipalities to annually review their Procurement Policies in order to update the same with any new legislation which may change competitive bidding limits; and

WHEREAS, the City Comptroller has reviewed the current City of Auburn Procurement and Surplus Policy and has determined that it is compliant with the provisions of the New York General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED that the City of Auburn Procurement and Surplus Policy is hereby adopted as being compliant with New York State General Municipal Law and that all of the terms set forth in this Policy are continued and authorized in its current form.

Seconded by Giannettino

	Ayes	Noes	Excused
Councilor McCormick			X
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Locastro	X		
Mayor Quill	X		
Carried and Adopted	X		

FINANCIAL RESOLUTION #10 OF 2020

AUTHORIZING VARIOUS OPERATING AND CAPITAL BUDGET TRANSFERS

By Councilor Cuddy

January 16, 2020

WHEREAS, the City of Auburn staff is requesting various operating and non-operating budget transfers for the fiscal 2019-20 year as outlined in attachment A; and,

WHEREAS, there is no fund balance being used for these transfers.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn, New York:

1. That the Auburn City Council does hereby authorize the transfers in Attachment A for the 2019-20 fiscal year; and,
2. That this resolution shall take effect immediately upon its adoption.

Seconded by Councilor Giannettino

	Ayes	Noes	Excused
Councilor McCormick			X
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Locastro	X		
Mayor Quill	X		
Carried and Adopted	X		

COUNCIL RESOLUTION #11 of 2020

APPROVING COUNCIL RULES AND PROCEDURES

By Councilor Locastro

January 16, 2020

WHEREAS, Article II section 8 of the Charter of the *City of Auburn states that "The Council may adopt rules governing its proceedings and provide for the enforcement thereof."*; and

WHEREAS, *the Council Rules and Procedures is the document which provides Council the direction to conduct Council business and meetings in an organized, consistent matter in accordance to local and state law; and*

WHEREAS, *the Auburn City Council has reviewed its Rules and Procedures and revised the document so that it is up to date and in adherence of local and state laws.*

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve the document entitled Auburn City Council Rules and Procedures, revised January 16, 2020; and

BE IT FURTHER RESOLVED that the City Clerk shall distribute copies of these updated Rules and Procedures to all members of the Council, the City Manager and all City Department heads, and that these Rules and Procedures are posted to the City Council page of the City's website; and,

BE IT FURTHER RESOLVED that these Council Rules and Procedures shall take effect on February 1, 2020.

Seconded by Councilor Giannettino

	Ayes	Noes	Excused
Councilor McCormick			X
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Locastro		X	
Mayor Quill	X		
Carried and Adopted	X		

AGREEMENT RESOLUTION #12 OF 2020

AUTHORIZING AN AGREEMENT FOR THE REPAYMENT OF TAXES OWED WITH RESPECT TO THE PROPERTY LOCATED AT 3 EAST GENESEE STREET

By Councilor Locastro

January 16, 2020

WHEREAS, the Speno Music Store has been in business in Auburn, New York at the location of 3 East Genesee Street (the "Property") since opening its doors in 1948; and

WHEREAS, the Speno Music Store continues to add value to the City of Auburn by providing employment opportunities and music retail services to residents; and

WHEREAS, the City of Auburn wishes to support the Speno Music Store and the company's continued success in Auburn; and

WHEREAS, the Speno Music Store has requested assistance from the City of Auburn so that it may bring its property taxes current through a tax repayment agreement, which is attached hereto and incorporated herein.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Auburn does approve an Agreement with Speno Music Store, Inc. for the repayment of \$84,824.29 in property taxes assessed to 3 East Genesee Street, at an interest rate of 3.0%, amortized over 10 years; and

BE IT FURTHER RESOLVED, that the terms of the Agreement include that Speno Music Store, Inc., stay current on all ongoing school, county and City property taxes; and

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute any and all documents necessary to carry out this resolution.

Seconded by Councilor Giannettino

	Ayes	Noes	Excused
Councilor McCormick			X
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Locastro	X		
Mayor Quill	X		
Carried and Adopted	X		

APPOINTMENT RESOLUTION #13 OF 2020

CONFIRMING APPOINTMENTS TO THE AUBURN INDUSTRIAL DEVELOPMENT AUTHORITY

By Councilor Locastro
2020

January 16,

WHEREAS, in accordance with Title 15, Section 2304 of the New York State Public Authorities Law, the Mayor hereby recommends confirmation of a Chairman and eight (8) members to be appointed to the Auburn Industrial Development Authority; and

WHEREAS, in accordance with said Public Authorities Law, Board membership must include specific fields representing labor, business, industry and education, and two of the eight members shall be members of the common council of the City; and

WHEREAS, the City Council Member positions will be served by Jimmy Giannettino and Terry Cuddy as representatives for the duration of their respective elected terms.

NOW, THEREFORE, BE IT RESOLVED, that the Auburn City Council confirms the appointment of the following persons to the Auburn Industrial Development Authority Board for a term of three (3) years, which term is set to expire on January 15, 2023:

At-Large Member:	Ron LaVarnway
At-Large Member:	Roger Beer
At-Large Member:	Gwen Webber-McLeod
Member of Labor:	William Andre
Member of Business:	James Dacey

Member of Industry: Brandon Gravius
School Board Member: Jeffrey Gaspar, Member, Board of Education, Auburn School District

BE IT FURTHER RESOLVED, that James Dacey is to be appointed to serve as the Chairperson of the Auburn Industrial Development Authority Board; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Seconded by Councilor Giannettino

	Ayes	Noes	Excused
Councilor McCormick			X
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Locastro	X		
Mayor Quill	X		
Carried and Adopted	X		

APPOINTMENT RESOLUTION #15 OF 2020

APPOINTING MEMBERS TO THE PUBLIC ART COMMISSION OF THE CITY OF AUBURN

By Councilor Cuddy

January 16, 2020

WHEREAS, the Public Art Commission was originally established by Ordinance No. 5 of 2017, and said Ordinance sets forth the legislative intent, purpose, powers and membership of the Commission; and

WHEREAS, the members of the Public Art Commission are appointed by the Mayor of the City of Auburn with the approval of the majority of the City Council; and

WHEREAS, the Mayor and City Council are desirous of reappointing the following individuals to their positions for a term of two (2) years effective immediately and terminating December 31, 2022:

- Tom Hussey, representing professional artists;
- Lynn Stillman, representing a citizen knowledgeable in the field of Public Arts, education or community affairs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn that Tom Hussey and Lynn Stillman be appointed as members of the Public Art Commission, and that they are appointed for terms as outlined herein.

Seconded By Councilor Giannettino

	Ayes	Noes	Excused
Councilor McCormick			X
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Locastro	X		
Mayor Quill	X		
Carried and Adopted	X		

APPOINTMENT RESOLUTION #16 OF 2020

APPOINTING MEMBERS OF THE AUBURN HUMAN RIGHTS COMMISSION

By Councilor

January 16, 2020

WHEREAS, the City of Auburn has created the Auburn Human Rights Commission pursuant to the General Municipal Law of the State of New York; and

WHEREAS, the term of service for four members of the Commission shall expire on February 2, 2020; and

WHEREAS, it is the recommendation of the Human Rights Commission that the following persons, all of whom are residents of the City of Auburn, shall be re-appointed as members of the Commission for a term of three (3) years, namely:

Robert Ellison, William Gonzalez, Kathleen Barnard and Rhoda Overstreet-Wilson
; and

WHEREAS, the members shall serve for a term of three (3) years beginning immediately upon approval of this Appointment Resolution.

NOW, THEREFORE, BE IT RESOLVED that the following persons are hereby appointed as members of the Auburn Human Rights Commission for a term of three (3) years, namely:

Robert Ellison, Bill Gonzalez, Kathleen Barnard and Rhoda Overstreet-Wilson
; and

BE IT FURTHER RESOLVED that said appointments are to become effective immediately upon approval of this Appointment Resolution.

Seconded by Councilor

	Ayes	Noes	Excused
Councilor McCormick			X
Councilor Giannettino	X		
Councilor Cuddy	X		
Councilor Locastro	X		
Mayor Quill	X		
Carried and Adopted	X		

Tabled Items - none

STAFF/VENDOR PRESENTATIONS - None

10. Other Business –

Executive Session. Councilor Giannettino made a motion to enter Executive Session, seconded by Councilor Cuddy. Council voted to enter an executive session regarding the following matters:

- One matter pertaining to sale, lease or acquisition of real property
- Three separate matters all pertaining to the employment history of a particular individual.

The motion to enter executive session carried 5-0. The Council entered Executive Session at 7:02 p.m.

Executive session adjourned at 8:07 p.m.

Adjournment: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 8:08 p.m..

Minutes submitted to the City Council on January 23, 2020 by:

Charles Mason
City Clerk