

Auburn City Council Meeting, May 18, 2023

**Auburn City Council
Regular Meeting
Thursday, May 18, 2023 5:00 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 5:00 p.m. from the City Council Chambers, 24 South St. Auburn, NY by Mayor Quill.

ROLL CALL – The City Clerk called the roll. Councilor Ginny Kent, Councilor Jimmy Giannettino, Councilor Terry Cuddy, Councilor Tim Locastro and Mayor Michael D. Quill were present.

The following City Staff was present for the meeting:

- Acting City Manager, Christina Selvek
- City Clerk, Chuck Mason
- Assistant Corporation Counsel, Tim Brennan
- Superintendent of Public Works, Mike Talbot
- Director of Planning and Economic Development, Jennifer Haines
- City Engineer, William Lupien
- Director of Municipal Utilities, Seth Jensen
- Police Chief, James Slayton
- Fire Chief, Mark Fritz
- Assistant Comptroller, Theresa Adams
- Grants Coordinator, Onea Kloster

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

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

Public Announcements –

Ceremonial Presentations –

WHEREAS, emergency medical services are a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide life-saving care to those in need 24 hours a day, seven days a week; and

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WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services have grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their life-saving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

THEREFORE, I, Michael D. Quill, Mayor of the City of Auburn, in recognition of this event do hereby proclaim the week of May 21 - 27, 2023, as

EMERGENCY MEDICAL SERVICES WEEK

With the EMS Strong theme, *EMS WEEK: Where Emergency Care Begins*, I encourage the community to observe this week with appropriate programs, ceremonies, and activities.

**In witness whereof I have hereunto
set my hand and caused the seal of the
City of Auburn to be affixed this
Twenty Fourth Day of May 2023.**

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

Mayor Quill presented the EMS Week proclamation to Bobby Cuddy and Mr. Cuddy addressed the Council representing the Auburn Ambulance Department.

Public to be heard and Public Hearing regarding the City Manager's proposed fiscal year 2023-2024 City of Auburn budget. – The City Clerk read the rules for the Public to be Heard. Dr. Walt Aikman spoke regarding support for the Department of Public Works and Urban Forestry program and

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emerging Auburn Conservation Corps within the City Budget. He also encouraged support for the grant application to be authorized with adoption of Resolution 50 of 2023. Mr. Dan Soules who owns the Plaza of the Arts in downtown Auburn on Genesee Street spoke regarding concerns he has with proposed changes to downtown parking enforcement and the elimination of the free two hour on street parking. Justin Huffman from Huffman Law Firm, 110 Genesee Street spoke representing the Grillo Companies and Petro Rentals spoke in opposition to Ordinance #6 of 2023.

Approval of Meeting Minutes –

May 4, 2023 Council Meeting Minutes

Motion to approve the May 4, 2023 minutes by Councilor Kent, seconded by Councilor Giannettino.

Motion to approve carried 5-0.

Reports of City Officials

City Manager's Report –

- The City is accepting RFPs for the design, construction administration, and construction inspection of the City Court Expansion Project.
- The City is also accepting bids for a Chlorine Dioxide Chemical Generator; bids are due June 8.
- The City is also accepting sealed bids for 2023 Revolving Loan Sidewalk Program for the City of Auburn at the Engineering Department, Memorial City Hall, 24 South Street, Auburn, New York, until 12:00 p.m. local time, on Tuesday, June 20, 2023.
- City Road Program is progressing on State Street north of Union Street. While this work is happening there will be temporary closures to local access only in the area.
- The Central New York Regional Planning Board and the City of Auburn will be hosting a listening session on public transportation needs for the area at Cayuga Community College on Wednesday, May 24, 2023 at 3pm.

Reports from members of Council –

Matters to Come Before Council

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

B. Ordinances –

ORDINANCE #6 OF 2023

AMENDING THE HOUSING CODE FEE SECTION OF THE “FEES” CHAPTER OF THE AUBURN CITY CODE

By Councilor Kent

WHEREAS, On June 3, 2004, the City of Auburn by Ordinance No. 9 of 2004 amended Chapter 164 of the Auburn City Code entitled “Fees,” to include a section entitled Housing Code Fees; and

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WHEREAS, the City Council of the City of Auburn approves a schedule of fees annually and publishes the same for informative purposes; and

WHEREAS, the City Council of the City of Auburn recognizes that it is appropriate to provide direct reference to this process in the municipal code; and

WHEREAS, it is necessary for the purposes of efficiency, clarity and certainty that the Housing Code Chapter and the annually adopted fee schedule are in alignment; and

WHEREAS, Ordinance No. 6 of 2023, attached hereto and incorporated herein, proposes to update Chapter 164 of the City Code to achieve such goals by adding the references to the annually adopted fee schedule and making other related revisions; and

WHEREAS, the passage of Ordinance No. 6 of 2023, is categorized as a Type II Action pursuant to the New York State Environmental Quality Review Act (SEQRA) and New York State Code, Rules, and Regulations Sections 617.5(c)(16), and, therefore, pursuant to NYCRR Section 617.3(f) a determination under SEQRA is not required; and

NOW THEREFORE BE IT ENACTED that the Auburn City Council does hereby repeal the following sections of Ordinance No. 9 of 2004, "Housing Code Fees"

1. Section 164-4

and,

BE IT FURTHER ENACTED that the Auburn City Council does hereby adopt Ordinance No. 6 of 2023 attached and incorporated herein, which replaces the following Sections of Chapter 164 of the Auburn City Code entitled "Fees":

1. Section 164-4

and,

BE IT FURTHER ENACTED that the foregoing repeal and adoption shall take effect immediately.

Seconded by Councilor Giannettino

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

C. Local Laws – none

D. Resolutions –

**GRANT RESOLUTION #50 OF 2023
AUTHORIZING A GRANT APPLICATION TO USDA FOREST SERVICE INFLATION
REDUCTION ACT – URBAN AND COMMUNITY FORESTRY**

By Councilor Cuddy

May 18, 2023

WHEREAS, the United States Department of Agriculture (USDA) has announced the Inflation Reduction Act – Urban and Community Forestry Program, which would provide a multiyear program for tree planting and related activities, with a priority for projects that benefit underserved populations and areas; and

WHEREAS, the City of Auburn would like to apply for the Urban and Community Forestry grant opportunity in the amount of up to \$1,000,000, and will not require a match since the project will be completed in underserved, eligible areas in the City; and

WHEREAS, as a requirement of this Program, the applicant must obtain the approval/endorsement of the governing body of its municipality, the Auburn City Council, in which the project will be located.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby authorize as follows:

1. That the City is authorized to submit a grant application to the Inflation Reduction Act – Urban and Community Forestry Program in the grant amount of up to \$1,000,000, which will not require a match as long as the project is completed in the underserved, eligible areas in the City;
2. That the Mayor, or other appointed designee, is authorized to submit all documents, required for the application of the grants and, upon award notification, execute any and all grant agreements and submit any and all documentation necessary for the grants;
3. That the City Comptroller is authorized to receive and appropriate grant funding into the appropriate departmental accounts;
4. That a certified copy of this Resolution shall be forwarded with the grant application, as required; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon its adoption.

Seconded by Councilor Locastro

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	Ayes	Noes
Councilor Kent	X	
Councilor Giannettino	X	
Councilor Cuddy	X	
Councilor Locastro	X	
Mayor Quill	X	
Carried and adopted	X	

AGREEMENT RESOLUTION #51 OF 2023

**AUTHORIZING A FIRST AMENDMENT TO THE AGREEMENT
WITH THE REAL ESTATE AGENCY**

By Councilor Giannettino

May 18, 2023

WHEREAS, on January 19, 2023, the Auburn City Council authorized Award Resolution #5 of 2023 which awarded a contract for Real Estate Services to The Real Estate Agency in the amount of 7% of the sale price per property sold; and

WHEREAS, the Real Estate Agency has performed exceptionally under the terms of this contract having sold a significant portion of the properties provided for sale by the City of Auburn as outlined in their original contract; and

WHEREAS, a number of additional properties have recently come into the possession of the City of Auburn that were not outlined in the original contract award to the Real Estate Agency, and

WHEREAS, the Auburn City Council wishes to add these additional properties to the existing contract for Real Estate Services with the Real Estate Agency that runs through December 29, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Auburn City Council does hereby approve the amendment in relation to the contract for the provision of Real Estate Services awarded to The Real Estate Agency to include the sale of such additional properties in the possession of the City of Auburn as the Auburn City Manager may deem appropriate through December 29, 2023; and,

BE IT FURTHER RESOLVED that the Mayor, or his named designee, is authorized to sign any and all documents in order to carry out the purposes of this resolution.

Seconded by Councilor Kent

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

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E. Staff or Vendor Presentations – none

TABLED ITEMS - none

OTHER BUSINESS – none

Second Public to be Heard. Mr. David Steigerwald of Seward Avenue spoke to discuss NYS Cannabis laws and that it is his opinion the State has done this for revenue yet it will have a negative impact on the State for years to come.

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

- One matter pertaining to the employment history of a particular individual

The motion to enter executive session carried 5-0. The Council entered Executive Session at 5:46 pm p.m. Executive session adjourned at 6:18 p.m.

ADJOURNMENT: By unanimous vote the Council adjourned the meeting. The meeting was adjourned at 6:19 p.m..

Minutes submitted by: Chuck Mason, City Clerk