

THE GENEVA CITY COUNCIL

JOURNAL OF PROCEEDINGS

SPECIAL COUNCIL MEETING

July 10, 2023 – 6:00 PM

Public Safety Building  
255 Exchange Street  
Geneva, NY 14456

Presiding – Steve Valentino, Mayor

1. ROLL CALL

Present: Clr. Regan, Clr. Gaglianese, Clr. Camera, Clr. Brimm, Clr. Noone, Clr. Pealer,  
Clr. Burrall (arrived at 6:06pm) and Clr. Salamendra (arrived at 6:18pm)

2. RESOLUTION APPOINTING CITY CLERK

Mayor Valentino presented the following resolution:

**WHEREAS**, beginning in the spring of 2023, the City Council engaged in a rigorous selection process for the position of City Clerk; and

**WHEREAS**, eight applicants applied for the position; and

**WHEREAS**, of these applicants, Nicole Wright showcased the knowledge, skills, and abilities necessary to fill the position effectively and add value to the organization and to the community.

**NOW, THEREFORE, BE IT RESOLVED** that the Geneva City Council, hereby and in due form does appoint Nicole Wright to the position of City Clerk for the City of Geneva, effective July 31, 2023 with an annual salary of \$70,000 and participation in the Management Benefits Package; and directs the City Manager to take necessary actions to affect the same.

Clr. Noone asked about residency requirements, and Mayor Valentino said that Human Resources will take care of all of the verifications that need to be made before the formal appointment takes place. Mayor Valentino thanked the City Manager and the HR Director for scheduling and taking part in the interviews.

**ACTION TAKEN by Mayor Valentino; seconded by Clr. Noone  
MOVED THAT this resolution be approved  
MOTION CARRIED UNANIMOUSLY (7-2 absent)**

### 3. ZONING WORKSESSION

Neal Braman said that the consultants were hired and were  $\frac{3}{4}$  of the way thru writing this entire document when they left Barton and Loguidice, so city staff took over, and when those staff members left the city, the plan fell to him. He said that the plan was reviewed by the Historic Districts Commission, the Business Improvement District, the Local Development Corporation, and the Industrial Development Agency. All of them voiced their concerns with the Business Improvement District having the most comments. He said that the majority of concerns were addressed with some of the language being an issue. He said there are some concerns with the placement of the words shall and should. He said he reviewed the intent with the BID to clarify, but the biggest issues are the shall vs should wording. He added that the short-term rental section needs to be buttoned up. Mr. Braman said that once council adopts the zoning update, it will need to go to the County Planning Board for their comments, but council should try to get it where they want it before it goes to the county for comments. He said it will also go to our Planning Board for a reading and vote.

Clr. Gaglianese asked if because of the delay, there were any additional costs to the city. Mr. Braman said that there were not, but noted because it went beyond the time, the \$15,000 agreed upon price to go to Barton and Loguidice for additional questions was zeroed out. Clr. Gaglianese questioned if the update will need to go before the public again since it is almost two years later.

City Manager Hendrix told council that they can do their due diligence, but there will be variances as soon as it passes. She said we will not get perfection. She said it makes sense to put this before the public, but we would need time for the public to review and additional time to review the public comments.

Clr. Camera said development is our future, and he would like to focus on some big items. He brought up a large residential lot shoe-horned in the draft in the wrong place in the mixed-use residential section, saying this should be single family residential. He said the real concern is this is most impactful as council addresses Air B&Bs which will affect development. He said he would like to focus on large lot development and Air B&Bs.

Clr. Burrall said that looking at the 5<sup>th</sup> or 6<sup>th</sup> revision of this plan, council did have a public hearing on this working document. He said that this will always be in flux depending on whatever projects or any changes of ownership may come into the city. He said that another public hearing will bring a specific couple of people who want to hone in on a specific item. He said council needs to get on track as zoning is always in flux, and there is a process to amend later.

Clr. Regan said it is her understanding that the current zoning map is not up to date with historic overlays. She said it would be good to hone in on a few big-ticket items. Mr. Braman noted that the current historic overlay currently goes to the former American Legion property, and the Historic Districts Commission would like that changed. He said that will be addressed.

Clr. Salamendra said she is not okay with delaying voting on this as the comprehensive plan asked for two things; an Economic Development Task Force, which never happened, and to pass a zoning update.

Clr. Camera referred to the multi-family section, Article 350-3.2(c) on page 3 of 50 saying that this is taking about some very big lots, and big expanses of unbuilt land. He said that if council looks at the zoning map, it's the least built-up section of our city and where any future growth can occur. He said we are taking 1/6 of the city offline for development. He said he feels this means we would be asking the other five wards to pay for taking this out of circulation. He said he believes we can protect privacy, but it should be done with a lot less unincumbered land. He said there could be buffer zones to allow the rest to be developable.

Clr. Regan said this area can be compared to what is along Middle Street, and can have more dense housing such as townhomes or row houses. She added that housing requiring less care are more in demand.

Clr. Gaglianese said that if a developer wanted to develop this parcel, they would need to go through the Planning Board for a special use permit, so he does not understand why it matters what it is labeled. Mr. Braman said that this has a less dense potential with 2 rights of way coming out at Slosson Lane, noting that there was an opposition to townhomes.

Clr. Salamendra said that she does not see businesses knocking down our door to come to our city, so housing is our economic development. She said that catering to the wealthy elite sends the wrong message that council is not hearing the entire city.

Clr. Burrall said that he would like to make a clarification about the public rights of way. He said that Hobart and William Smith Colleges bought the parcels and subdivided the two entry points. He said that there is now no access from Slosson Lane, and the only one is on Jay Street which is hard to get to. He said that the majority of land council is discussing is owned by Hobart and William Smith Colleges or private individuals. He added that anyone can go before the Planning Board and get the property changed to high density residential noting they will need to get utilities run. He said he feels council is better off moving to the next topic.

Clr. Camera said that council needs to express their intention that this be mixed use development. He asked if council wanted to see this section of the city share the some of the financial revenue burden with the rest of the city. He said that a city is not defined by large lots, but rather a place where there is more contact with the residents. He said that is why he feels council needs to express that definition into some of these outlying areas. He said the mixed residential use definition should be applied to at least the southern portions. He said there is a lot of opportunity for development and growth here with tax revenue increases.

Clr. Salamandra asked if it doesn't matter what the property is zoned, they why should council vote to do it another way. She said she feels people in her ward are leaving in mass exodus because there is no

housing, so if council is pro-development, then they should be for it on Slosson Lane as well. She said she sees no reason to not make a change to what her and other councilor's intentions are, as she feels that more housing is best for the city.

Clr. Regan said that these arguments can be used both ways, so why not get some developers, and not require them to do the extra work or getting variances. She said the entire area should be zoned in a way that says we are looking for development.

Clr. Gaglianese said that a private developer would come in and pay to get the property ready for development, noting that if not done by the developer, the cost of infrastructure to the city would be too much.

Clr. Salamendra asked to clarify that she is not trying to get the document changed to what she wants, but rather what the experts originally gave us. Clr. Camera said that council needs to express what they want for our residents and what will work here.

Clr. Noone said he agrees with Clrs. Salamendra and Camera saying that this is a great analysis of this property, and as we look forward to economic development, we should have less barriers for developers. He said that the rest of the city should not suffer if a few people do not want development near them.

Mayor Valentino asked for a straw vote on who would like to change this section to mixed use residential. Mr. Braman added that a large lot residential would be a minimum lot of 20,000 sq ft, and a mixed use residential would go to 3,000 sq ft. Clrs. Salamendra, Camera, Noone and Regan said they were in favor of changing with Clrs. Burrall, Pealer, Gaglianese and Mayor Valentino being against the change. Clr. Brimm said he had no direction on the matter. It was decided that the section would remain the same. Mayor Valentino said he reached out to Senator Helming, Assemblyman Gallahan, and Senator Schumer to see about funding assistance to put the infrastructure on this property to make it more attractive to developers.

Mayor Valentino said that the next issue for council to discuss is the use of the words should and shall in the document, noting that they have very different meanings. He pointed out Article 10, page 17 of 51 showing the different places in the document where these words are used. Mr. Braman said that for the new build section of the code, the shall wording would work fine, but where the problems come in is with the existing builds and any remodeling saying that the entire building shall be brought up to code. Mayor Valentino asked each councilor to go through this section and see if they feel any changes are needed. He told them to email the city manager and Mr. Braman by July 24<sup>th</sup> with their changes.

Clr. Burrall said council should be trying to make this more business friendly by using should rather than shall, noting that the BID had their own consultants look at this and give their opinions. Clr. Salamendra said she feels our consultants are giving the best practices. She said she cares about people who have to live in housing rather than businesses.

Clr. Noone said he feels council should get this right noting that he has an issue with delaying anymore. He said council needs to listen to the experts and then tweak this as we go along.

Mayor Valentino said he has an issue with 350-10.2 A(3) and the use of the word shall. He said he is not a fan of this due to the recent storms with his concerns being on stormwater regulations.

Clr. Noone said that he would like to take out the short-term rental part if there are concerns. He asked what grandfathering in would look like as well as giving precedent to people living nearby with regard to communication. He added that he feels a lot of code issues do not get addressed, and it continues to be complaint-based. He said we need to be more proactive and enforce the codes that are on the books. He questioned if the current code office has the ability to handle these new ordinances.

Clr. Regan said that she is mixed on grandfathering and asked how the city would address no parking on a property or any other issues. She said she feels this is a start, and council could add to it later.

Clr. Salamendra said she would like to see short-term rentals dealt with as soon as possible, and she is reluctant to take it out of this document. She said it makes no sense to grandfather in certain people, especially without some sort of registry to get in touch with the owner. She does not want people renting without regulations and causing problems with other residents.

Mayor Valentino said he would like to add in an element with regard to code violations where any short-term rental that receives three or more police nuisance calls within a 30-day period would have their license suspended for 60 days. He said he feels this will keep the owners of the property in check. Clr. Salamendra offered in to include founded police complaints. Mayor Valentino said he would like the parking requirements to mirror what is in the Bed and Breakfast regulations.

Clr. Salamendra said she would like the registration fee to be directly proportionate to the rates charged. City Manager Hendrix said that council will vote on the fees as part of the budget process. She also said she would check with legal on the process for taking this out of the update for later approval.

#### 4. ADJOURNMENT

**ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Brimm  
MOVED THAT the meeting be adjourned at 7:58pm  
MOTION CARRIED UNANIMOUSLY**

*Lori Guinan*

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City Clerk