



CITY OF ONEIDA
MEETING OF THE COMMON COUNCIL
109 N. MAIN ST., ONEIDA, NY 13421

AGENDA

Date:	December 3, 2024	Presiding:	Rick Rossi, Mayor
Time:	6:30 p.m.	Clerk:	Sandy LaPera, City Clerk
Location:	Common Council Chambers	Meeting Type:	Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>

Call to Order/Pledge of Allegiance/Roll Call

PUBLIC HEARING: A Local Law imposing a three (3) month moratorium on wind energy conversion systems (WECS) uses within the City of Oneida

PUBLIC COMMENT: Limited to 3 minutes

OLD BUSINESS:

REPORTS:

- **MAYOR'S REPORT**
- **CITY MANAGER'S REPORT**

Approval of the Minutes: November 13, 2024 (Special Budget Meeting)

November 19, 2024 (Regular Meeting)

Approval of Warrant: 24

Item	Title	Facilitator
1.	ADOPT 2025 BUDGET: adopt the 2025 City of Oneida Budget (Roll Call Vote)	CITY MANAGER
2.	ADOPT MISC. UTILITY BILLING: authorize the Miscellaneous Utility Billing and unpaid service charges, water rents, and sewer taxes in the amount of \$76,739.52 to be inserted into the 2024 assessment roll to be re-levied into the 2025 tax roll (Roll Call Vote)	CITY MANAGER
3.	SCHEDULE YEAR-END CLOSEOUT MEETING: approve to schedule the City of Oneida year-end closeout meeting for Tuesday, December 31 at 8:30am	CITY MANAGER
4.	BOARD REAPPOINTMENTS: approve the Mayor's reappointments of Don White and Kathy Malinowski to the Traffic Safety Board for a 3-year term	MAYOR
5.	AGREEMENT: authorize the City Manager to sign a Memorandum of Agreement with the Oneida City School District for the assignment of	LOWELL

Item	Title	Facilitator
	crossing guards employed by the city to serve as crossing guards at certain locations within the School District, through June 30, 2025	
6.	APPROVE LOCATION LIST-MOBILE FOOD VENDORS: approve the designated locations for Mobile Food Vendors in accordance with Local Law No. 6 of 2024, Section 4-C	HITCHINGS
7.	BUDGET TRANSFERS/AMENDMENTS: approve the budget transfers and amendments as outlined by the Comptroller, or a third party duly retained by the City of Oneida to perform such services	WELLS
8.	AGREEMENT: authorize the City Manager to sign the 2025-2029 Glenwood Plaza Hydrant Agreement; the 2025-2029 NYE Ford Hydrant Agreement; the 2025-2029 Workforce Housing Hydrant Agreement; and the 2025-2029 Oneida High School Hydrant Agreement	ROWE
9.	RELEASE/DISCHARGE, OR COMMUTE CITY/COUNTY TAXES: approve the release, discharge, or commute of City/County taxes for real property located in the City of Oneida for years 2017-2021, in the amount of \$170,792.54, which includes taxes owed and interest incurred	HOOD
10.	INTRODUCE LOCAL LAW: introduce a Local Law creating a new Chapter titled "murals" In the Oneida City Code and schedule a Public Hearing for Tuesday, December 17, 2024, at 6:30 p.m. Common Council Chambers, 109 N. Main St. Oneida	CITY MANAGER

NEW BUSINESS:

**MINUTES OF THE COMMON COUNCIL
REGULAR MEETING
DECEMBER 3, 2024**

A meeting of the Common Council of the City of Oneida, NY was held on the third day of December 2024 at 6:30 pm at the City of Oneida Common Council Chambers, 109 N. Main Street, Oneida NY 13421.

The meeting was called to order by Mayor Rick Rossi.

<u>Attendees</u>	<u>Present</u>	<u>Absent</u>	<u>Arrived Late</u>
Mayor Rossi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Kyle Lovell, CM	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Szczerba	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Laureti	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Hitchings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Winchell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Pagano	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Councilor Simchik	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____

Also Present

City Attorney Nadine Bell	<input type="checkbox"/>	Public Safety Comm. Dave Jones	<input type="checkbox"/>
City Clerk Sandy LaPera	<input type="checkbox"/>	Other: _____	<input type="checkbox"/>
Fire Chief Scott Jones	<input type="checkbox"/>	Other: _____	<input type="checkbox"/>
Police Chief Steve Lowell	<input type="checkbox"/>	Other: _____	<input type="checkbox"/>

Call to Order/Pledge of Allegiance/Roll Call

PUBLIC HEARING: A Local Law imposing a three (3) month moratorium on wind energy conversion systems (WECS) uses within the City of Oneida

OPEN PUBLIC HEARING
A LOCAL LAW IMPOSING A THREE (3) MONTH MORATORIUM ON WIND ENERGY CONVERSION
SYSTEMS (WECS) USES WITHIN THE CITY OF ONEIDA

RESOLUTION 24-

Moved by Councilor
Seconded by Councilor

RESOLVED, that the Public Hearing on a Local Law imposing a three (3) month moratorium on Wind Energy Conversion Systems (WECS) uses within the City of Oneida by hereby opened at ____p.m.

Ayes:

Nays:

MOTION CARRIED/FAILED

APPEARANCES

CLOSE PUBLIC HEARING
A LOCAL LAW IMPOSING A THREE (3) MONTH MORATORIUM ON WIND ENERGY CONVERSION
SYSTEMS (WECS) USES WITHIN THE CITY OF ONEIDA

RESOLUTION 24-

Moved by Councilor
Seconded by Councilor

RESOLVED, that the Public Hearing on a Local Law imposing a three (3) month moratorium on Wind Energy Conversion Systems (WECS) uses within the City of Oneida by hereby closed at ____p.m.

Ayes:

Nays:

MOTION CARRIED/FAILED

PUBLIC COMMENT:

OLD BUSINESS:

REPORTS:

- Mayor's Report
- City Manager's Report

APPROVAL OF MINUTES

Moved by Councilor
Seconded by Councilor

RESOLVED, that the minutes of the special meeting of November 13, 2024, are hereby approved as presented.

Ayes:

Nays:

MOTION CARRIED/FAILED

APPROVAL OF MINUTES

Moved by Councilor
Seconded by Councilor

RESOLVED, that the minutes of the regular meeting of November 19, 2024, are hereby approved as presented.

Ayes:

Nays:

MOTION CARRIED/FAILED

APPROVAL OF WARRANT

Moved by Councilor

Seconded by Councilor

RESOLVED, that Warrant No. 24, checks and ACH payments in the amount of \$ [REDACTED] as audited by the Voucher Committee are hereby approved for payment in the usual manner at the discretion of the Comptroller or a third party duly retained by the City of Oneida to perform such services.

Ayes:

Nays:

MOTION CARRIED/FAILED

1. ADOPT 2025 CITY OF ONEIDA BUDGET

RESOLUTION 24-

Moved by Councilor
Seconded by Councilor

RESOLVED, that agreeable to the estimates of the expenses and disbursements for the year 2025 constituting the budget, including Capital Plan, for the City of Oneida, the same is hereby approved by the Common Council on the third day of December, 2024 as set forth in the minutes of this meeting; there shall be levied and raised on the taxable property of the entire city, not including pension, pastor and over sixty-five (65) exempt property as follows:

Total Gross Budget: \$29,612,554

Less estimated revenues: \$29,199,526

Taxable balance: \$5,762,961

Of which, \$3,043,348 shall be levied on the entire city establishing a tax rate of \$6.21429 per thousand and \$2,070,053 shall be levied on the corporation tax district at a rate of \$6.0771 per thousand; thereby establishing a combined rate of \$12.29139 per thousand inside tax district; and be it further

RESOLVED, that \$615,060 shall be levied and a rate of \$4.66412 per thousand shall be established for the outside fire district, and be it further

RESOLVED, that \$34,500 shall be levied and a rate of \$0.079631 per thousand shall be established for hydrant tax, and be it further

RESOLVED, that the total tax levy for the City of Oneida 2025 budget is \$5,762,961.

Mayor Rossi _____
Councilor Szczerba _____
Councilor Laureti _____
Councilor Rossi _____
Councilor Kinville _____
Councilor Pagano _____
Councilor Simchik _____

MOTION CARRIED/FAILED

2. MISCELLANEOUS UTILITY BILLING

RESOLUTION 24-

Moved by Councilor
Seconded by Councilor

RESOLVED, that the Miscellaneous Utility Billing for unpaid service charges, water rents and sewer taxes in the amount of \$76,739.52 be hereby inserted into the 2024 assessment roll to be re-levied into the 2025 tax roll.

Mayor Rossi _____
Councilor Szczerba _____
Councilor Laureti _____
Councilor Hitchings _____
Councilor Winchell _____
Councilor Pagano _____
Councilor Simchik _____

MOTION CARRIED/FAILED

3. SCHEDULE YEAR-END CLOSEOUT MEETING

RESOLUTION 24-

Moved by Councilor
Seconded by Councilor

RESOLVED, to schedule to 2024 year-end closeout meeting for Tuesday, December 31, 2024, at 8:30a.m. in Common Council Chambers, 109 N. Main Street, Oneida, NY 13421.

Ayes:

Nayes:

MOTION CARRIED/FAILED

4. **BOARD REAPPOINTMENTS-TRAFFIC SAFETY BOARD**

RESOLUTION 24-

Moved by Councilor
Seconded by Councilor

RESOLVED, to approve the Mayor's reappointments of Don White and Kathy Malinowski to the Traffic Safety Board for a 3-year term.

Ayes:

Nays:

MOTION CARRIED/FAILED

5. MEMORANDUM OF AGREEMENT-ONEIDA CITY SCHOOL DISTRICT

RESOLUTION 24-

Moved by Councilor

Seconded by Councilor

RESOLVED, to authorize the City Manager to sign a Memorandum of Agreement with the Oneida City School District for the assignment of crossing guards employed by the City to serve as crossing guards at certain locations within the School District, through June 30, 2025.

Ayes:

Nays:

MOTION CARRIED/FAILED

6. **APPROVE LOCATION LIST-MOBILE FOOD VENDORS**

RESOLUTION 24-

Moved by Councilor
Seconded by Councilor

RESOLVED, to approve the attached designated locations for Mobile Food Vendors in accordance with Local Law No. 6 of 2024, Section 4-C.

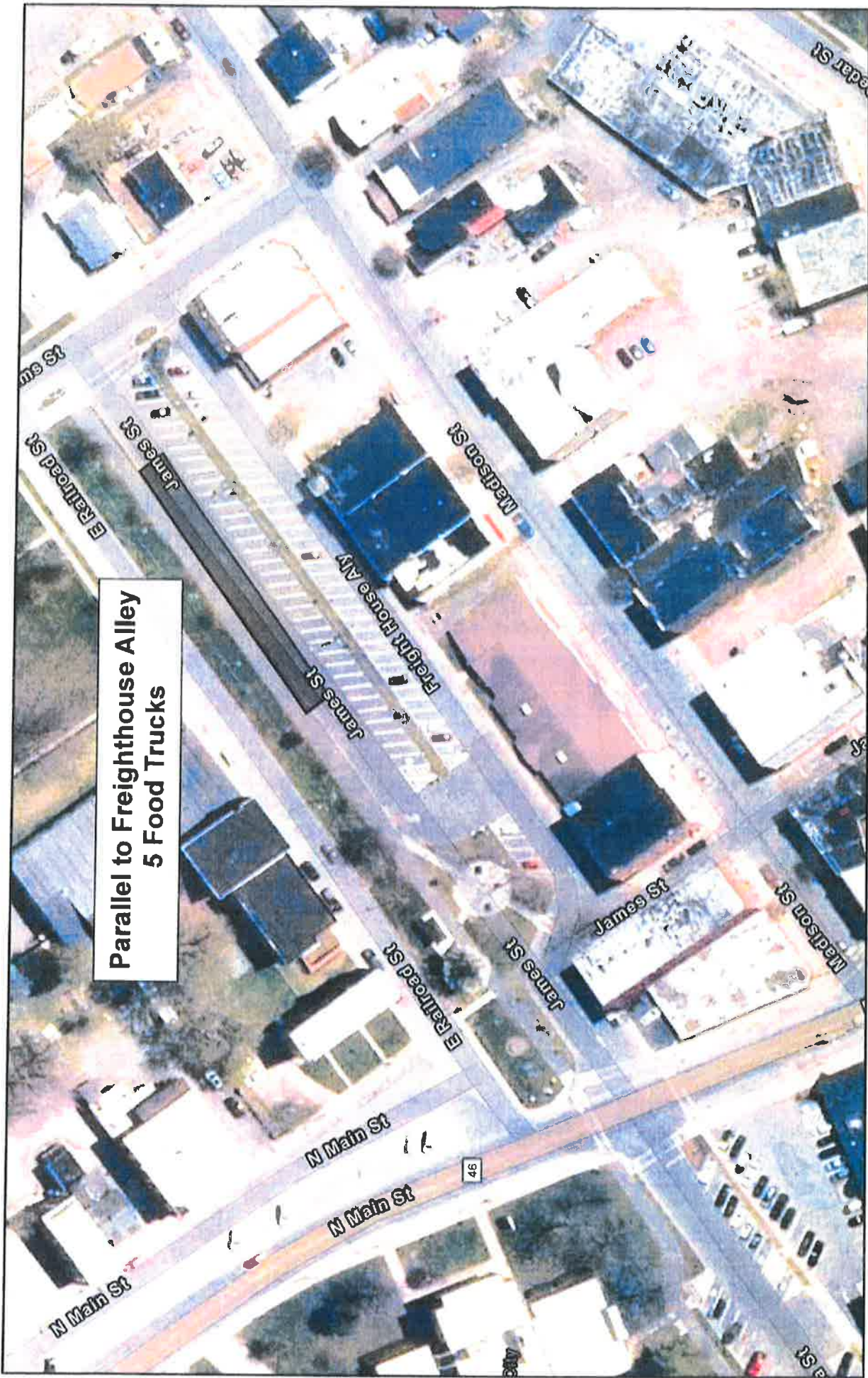
Location No. 1	Freighthouse Alley	5 Food Trucks
Location No. 2	Higinbotham Park	2 Food Trucks
Location No. 3	Veterans Memorial Park	3 Food Trucks
Location No. 4	Harmon Field	2 Food Trucks

Ayes:

Nays:

MOTION CARRIED/FAILED

Location 1 Freighthouse Alley

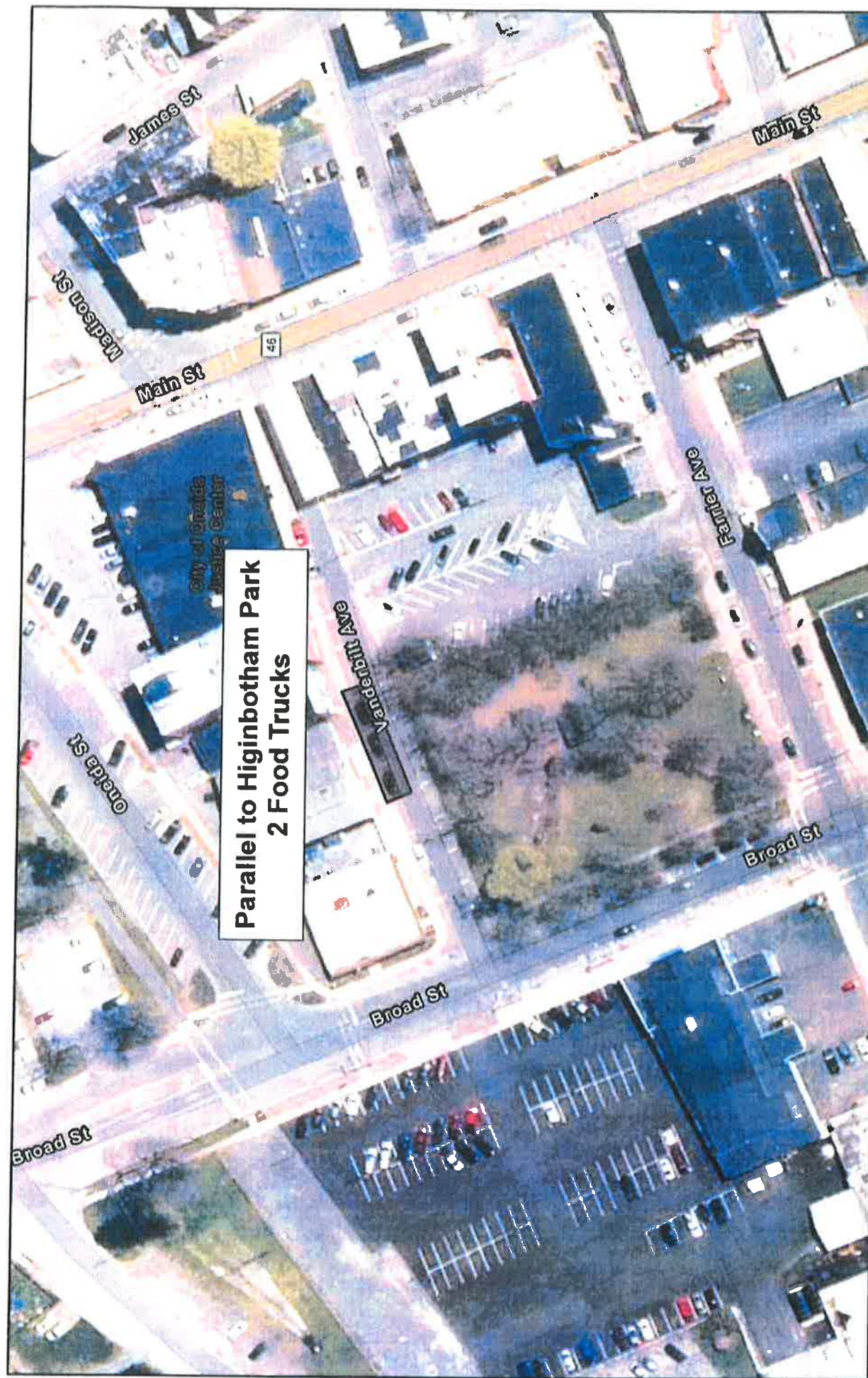


Parallel to Freight House Alley
5 Food Trucks

9/26/2024

1:1,600
0 0.01 0.02 0.03 0.04 mi
0 0.01 0.03 0.06 km
New York State, Maxar, Microsoft, Esri, Community Maps Contributors, ©
OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph.

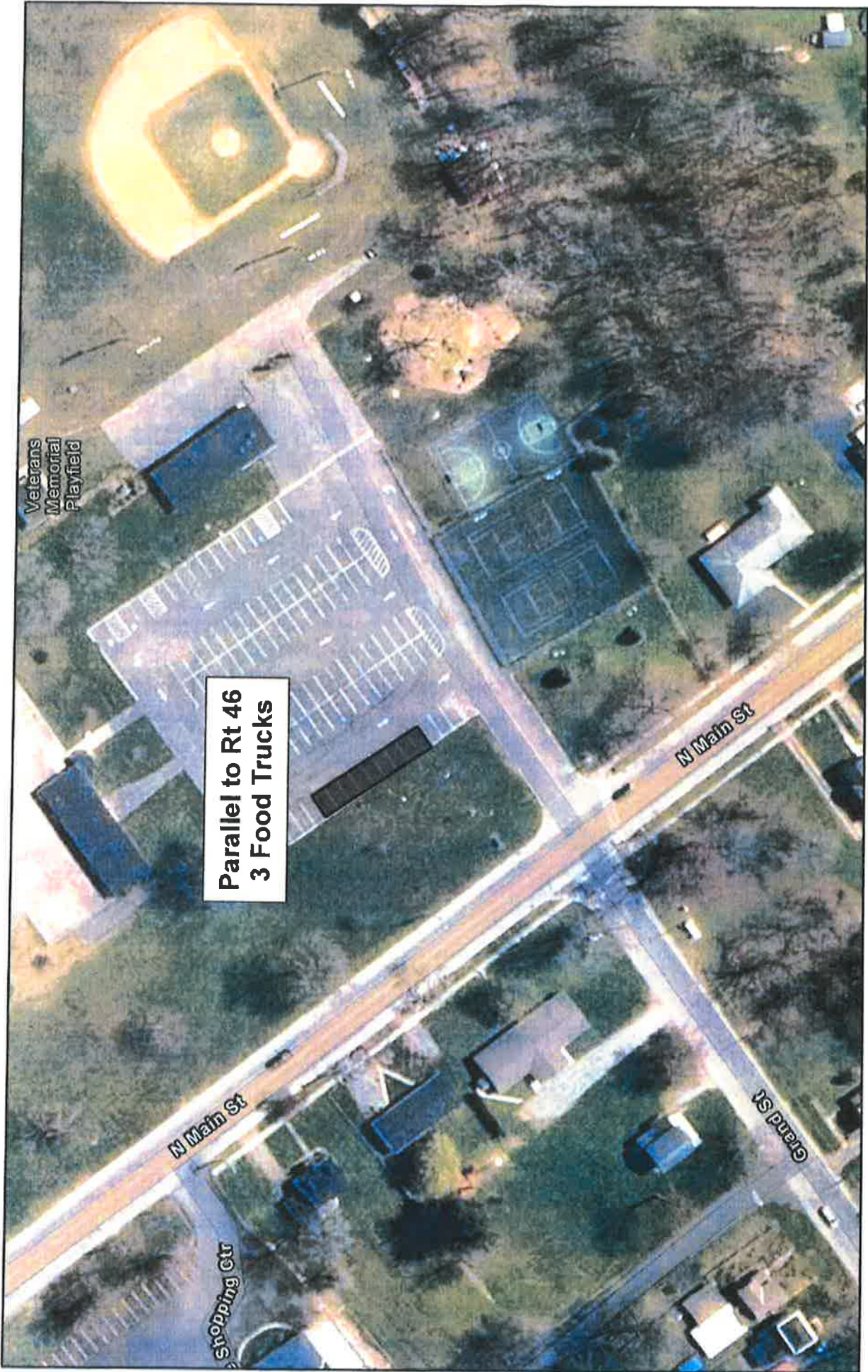
Location 2 Higinbotham Park



9/26/2024

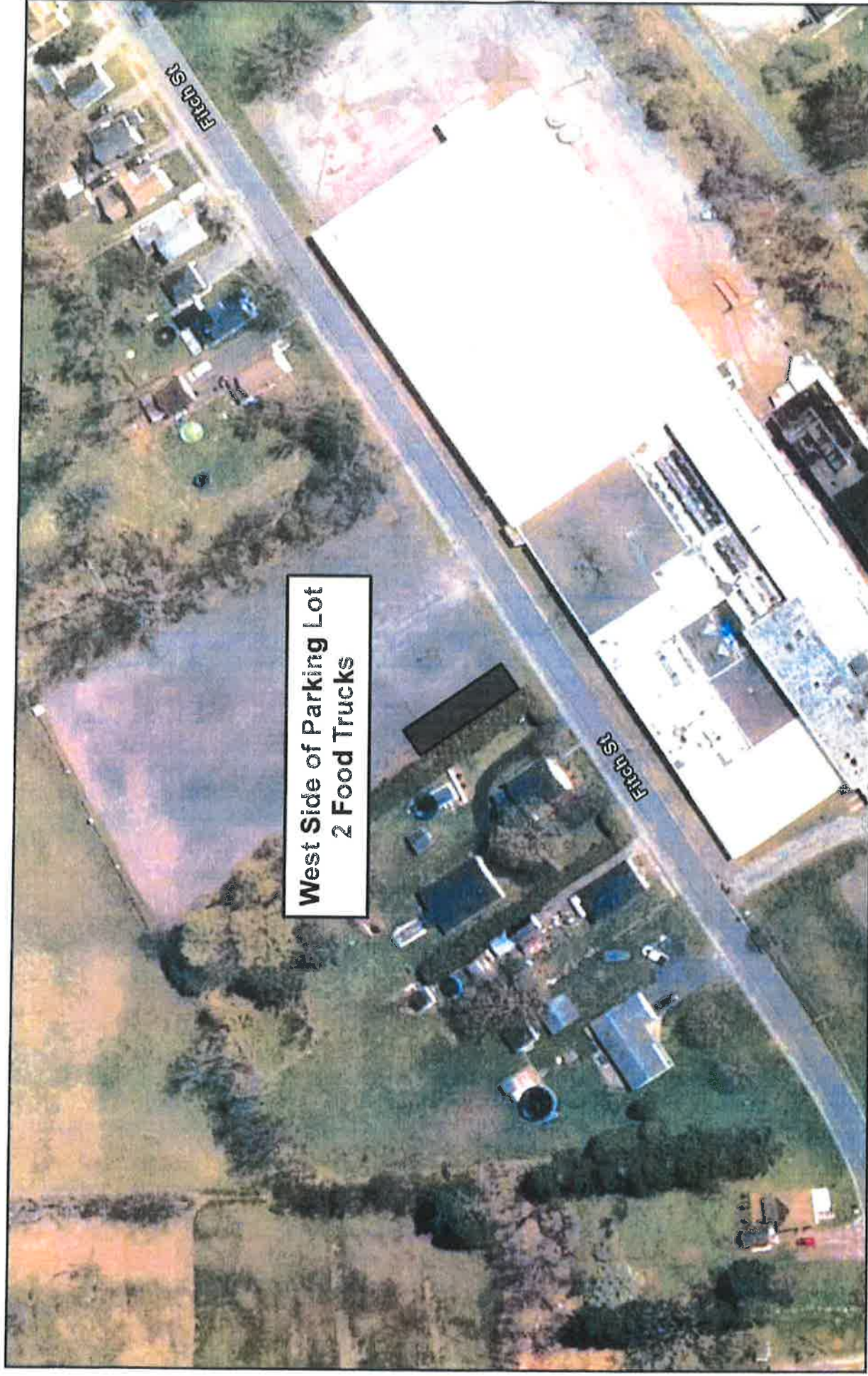
1:1,600
0 0.01 0.02 0.04 mi
0 0.01 0.03 0.06 km
New York State, Maxar, Microsoft, Esri Community Maps Contributors, ©
OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph

Location 3 Veterans Memorial Park

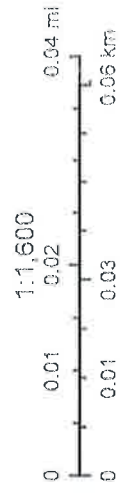


9/26/2024

Location 4 Harmon Field



9/26/2024



New York State, Navar, Microsoft, Esri Community Maps Contributors, ©
OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph,

7. BUDGET TRANSFERS/AMENDMENTS

RESOLUTION 24-

Moved by Councilor
Seconded by Councilor

RESOLVED, to approve the budget transfers and amendments as outlined by the Comptroller, or a third party duly retained by the City of Oneida to perform such services.

		<u>To</u>	<u>From</u>
2024 Budget Adjustments			
\$	15,000.00	001.1420.0411.0000 Law Labor Services	001.0001.0912.0000 General Fund Balance
\$	10,000.00	001.1420.0410.0000 Law Litigation	001.0001.0912.0000 General Fund Balance
<i>To allocate funds to cover legal service expenses</i>			
\$	34,096.50	002.8300.0403.0000 Water Contracts	002.0022.2665.0000 Water Sale of Assets
<i>To re-allocate funds from the sale of Timber to cover the cost of forestry services</i>			
\$	1,352.40	001.1364.0400.0000 Expenses on Property Acquired	001.0022.2660.0000 Sale of Real Property
<i>To re-allocate revenue from the sale of property to cover the expenses for the Auction</i>			

Ayes:

Nays:

MOTION CARRIED/FAILED

8. AGREEMENT-2025-2029 GLENWOOD PLAZA HYDRANT AGREEMENT

RESOLUTION 24-

Moved by Councilor

Seconded by Councilor

RESOLVED, to authorize the City Manager to sign the following Hydrant Agreements:

- 2025-2029 Glenwood Plaza Hydrant Agreement
- 2025-2029 Nye Ford Hydrant Agreement
- 2025-2029 Workforce Housing Hydrant Agreement
- 2025-2029 Oneida High School Hydrant Agreement

Ayes:

Nays:

MOTION CARRIED/FAILED

9. RELEASE/DISCHARGE, OR COMMUTE CITY/COUNTY TAXES

RESOLUTION 24-

Moved by Councilor

Seconded by Councilor

RESOLVED, approve the release, discharge, or commute of City/County taxes for real property located in the City of Oneida for years 2017-2021, in the amount of \$170,792.54, which includes taxes owed and interest incurred.

Ayes:

Nays:

MOTION CARRIED/FAILED

10. A LOCAL LAW CREATING A NEW CHAPTER 96, TITLED "MURALS,"
IN THE ONEIDA CITY CODE-SCHEDULE PUBLIC HEARING

RESOLUTION 24-

Moved by Councilor
Seconded by Councilor

WHEREAS, the proposed Local Law has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; and

WHEREAS, the City of Oneida Common Council does recognize the aesthetic value of murals in the community and does further desire to regulate murals within the City of Oneida; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the City of Oneida, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said Local Law, with the result that the Common Council shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that there are no other involved agencies, that the Common Council shall act as lead agency and that the enactment of the proposed Local Law is an unlisted action for purposes of SEQRA review; and it is further

RESOLVED AND DETERMINED, that the Common Council shall conduct a public hearing as to the enactment of the proposed Local Law at the Oneida City Hall located at 109 North Main Street, Oneida, New York on December 17, 2024, at 6:30 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard; and it is further

RESOLVED, that notice of said public hearing shall be provided at least five (5) days prior to the date of said public hearing in a newspaper of general circulation within the City of Oneida.

Ayes:

Nays:

MOTION CARRIED/FAILED

City of Oneida
Proposed Local Law
A LOCAL LAW CREATING A NEW CHAPTER 96, TITLED "MURALS,"
IN THE CITY OF ONEIDA CODE

Be it enacted by the Common Council of the City of Oneida, as follows:

Section 1.

So that a new Chapter 96, titled "Murals," shall be added to the Oneida City Code, which shall read, in its entirety, as follows:

"§96-1 Purpose.

The City of Oneida recognizes the aesthetic value of murals in the community. Artists, property owners and community residents are encouraged to work together in the creation of public art murals to beautify the environment and promote community pride. Any group or individual that wishes to paint or create a mural must obtain permission from the property owner, whether it is a private individual or public agency. Painting murals on public or private property without permission of the property owner is illegal and punishable by law. The City does not condone any type of illegal graffiti or art, irrespective of artistic content.

§96-2 Definitions.

As used in this Chapter, the following terms shall have the meanings indicated:

MURAL - A painting, mosaic, fresco, or other permanent artwork attached or applied directly to the outside of a structure. It is usually a graphic display that covers all or a portion of a wall and depicts a scene or event of natural, social, cultural or historic significance.

§96-3 General guidelines.

- A. These guidelines provide anyone who wants to install a mural with a reasonable process that safeguards both the interests of the community and those of the individual building/property owner. The guidelines are designed to assure that murals within the City of Oneida enhance the community's appearance without confusing drivers and/or pedestrians or causing any other negative impact on public safety or welfare.
- B. In reviewing a proposal for a mural, the following criteria shall be considered:
 - 1. Location, with consideration of safety issues, maintenance, and building geometry.
 - 2. Number of murals within close proximity.
 - 3. Size, with consideration of the local streetscape.

§96-4 Detailed guidelines and criteria.

In addition to the general guidelines above, the Planning Commission/ Zoning Board of Appeals shall evaluate mural proposals based on the following:

A. Design.

- 1. Relevance of the piece to the building or City, its values, culture, and people. Murals within the City of Oneida should be based on one or more of the following themes: natural beauty; history of the City; school pride; or other relevant themes.
- 2. Prohibitions.
 - a. Murals shall not be allowed in any residential zoning district.

- b. Murals with moving parts.
 - c. Murals affixed, applied, or mounted above, upon or suspended from any part of the roof of a structure.
 - d. Murals that project away from a wall surface.
- B. Suitability of the work for outdoor display, including its maintenance and conservation requirements.
- C. Relationship of the work to the site and the community, especially how it serves to activate or enhance public space.
- D. Appropriateness of the scale of the artwork.
- E. Site selection considerations.
 - 1. Is the site visible and accessible to the public?
 - 2. Does the mural enhance the site where it is located?
 - 3. Does the mural enhance the overall public environment?
 - 4. The mural should not obscure windows or entranceways nor disrupt normal pedestrian circulation.
 - 5. The mural should not disrupt the site's landscaping and maintenance requirements.
 - 6. The mural should not be so large as to overwhelm adjacent architecture or become a visual distraction.
 - 7. The mural should not detract from its surroundings nor create blind spots where illegal activity can take place.
- F. Construction and maintenance.
 - 1. Murals shall be well designed and incorporate high-quality materials that enhance the overall appearance of the site and do not adversely affect the safe and efficient movement of vehicles and pedestrians. Materials may include paint or other media appropriate for exterior use, such as tile or mosaic. Materials shall be long-lasting and graffiti-resistant to the greatest extent possible.
 - 2. Colors, though vibrant, should be complementary and harmonious with the exterior colors of the building structure, as well as consistent with the chosen theme. Neon, fluorescent, or reflective-type colors or materials are discouraged.
 - 3. The mural shall be designed and supervised by a qualified artist/muralist, one with sufficient knowledge and experience with the application of mural materials.
 - 4. Mural size shall be determined by the wall surface to be covered. Smaller walls may be completely covered. On large walls, murals should be large enough to dominate the wall surface but not so large as to overwhelm the local streetscape. Generally, one mural shall be permitted per structure.

5. The proposed mural, by its design, construction, and location, shall not obscure or detract from the significant architectural features of the building structure, nor should the building's architecture be altered to accommodate the mural.
6. The proposed mural, by its design, construction, and location, shall not have an adverse impact on adjacent properties or permitted uses. If the mural requires special lighting or other related construction, all applicable permits shall be required as part of installation. No flashing or moving lighting is permitted. No internal illumination is allowed.
7. Routine maintenance of an artwork becomes the responsibility of the building owner and/or sponsoring group where the artwork is located. As part of the contractual requirements, the artist should develop a maintenance program in cooperation with the building owner or manager for the proper long-term care of the artwork.
8. If, for whatever reason, the mural falls into disrepair, the building owner shall be notified, in writing, and required to make necessary repairs within 120 days. If the repairs are not made within the specified time, the City reserves the right to repair the mural at the owner's expense, remove the mural at the owner's expense, or cover the mural with opaque paint at the owner's expense.
9. If property ownership is transferred, all obligations for mural construction, maintenance and repair shall be assumed by the property owner.

G. Application review and approval process.

1. An applicant desiring to install a mural on is required to submit a formal application, a scaled color rendering of the proposed project, and a photograph showing the building location of the proposed mural to the City offices for review by the Department of Code Enforcement and the Planning Commission/ Zoning Board of Appeals.
2. Mural proposals that do not meet the design criteria/guidelines may be denied by the Planning Commission/ Zoning Board of Appeals or accepted with required modifications.
3. Mural proposals must comply with any applicable New York State Department of Transportation rules and regulations regarding visual appearance and possible effect on traffic in the area of the mural. Written approval from New York State Department of Transportation may be required, depending upon location of the mural.

H. Schedule.

- I. Mural installation must begin within 60 days of approval and must be completed within six (6) months of the start date. If these dates are not met, the Planning Commission/ Zoning Board of Appeals may, at its discretion, revoke the mural

permit. A one-time extension for an additional 60 days may be granted if the request is submitted in writing prior to the end of the initial 60-day period.”

SECTION 2. Validity and severability.

If any section or part of this local law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section of this local law.

SECTION 3. Effective date.

This local law shall be effective upon filing with the office of the Secretary of State.

NEW BUSINESS

Motion to adjourn by Councilor
Seconded by Councilor

Ayes:

Nays:

MOTION CARRIED/FAILED

The regular meeting is hereby adjourned at _____ p.m.

CITY OF ONEIDA

Sandra LaPera, City Clerk