



City Council **Minutes**
The City of Cortland
February 5, 2019

Council Meeting #2
February 5, 2019
25 Court Street
7:00 PM

Present: Mayor Brian Tobin, Aldermen Katy Silliman , Kat McCarthy, Gary Thomas, Carlos Ferrer, John C. Bennett, Thomas Michales, Troy Beckwith, and William Carpenter

Staff Present: Corporation Counsel Ric VanDonsel, Director of Administration and Finance Mack Cook, Police Chief Catalano, City Clerk Raymond A. Parker, and Confidential Secretary Devon Rainbow.

Public Hearing:

Mayor Tobin opened a Public hearing on a Local Law for removal of language in the City Code Section 102-16 I. at 7:03 PM

No one was signed up to speak.

Mayor Tobin closed the public hearing at 7:04 pm.

Regular Session:

Mayor Tobin called the second Common Council meeting of the year to order at 7:04 PM.

Pledge of Allegiance

Public Comments:

Tom Gobel- Tom started off by congratulating Kat McCarthy into ward 1. Tom brought light to item #17 and said that he agrees that it should be four year terms.

Ward Reports:

Ward 8: There were calls from Kellogg Road saying that 35 Kellogg was not being shoveled in a timely manner, but he explained that people have 24 hours, and it should be brought to Code's attention if it has been two days without having been taken care of. There was also an issue on Pendleton, where a landlord was plowing snow onto a neighbor's property, which the police got involved in.

Ward 7: A few phone calls, everything got taken care of. Reminder to keep the sidewalks clear from snow and ice.

Ward 6: There were a few calls about mailboxes being knocked over, but they are now repaired. Everything will be fully taken care of when the weather is better, but they are temporarily taken care of. There were some calls about sidewalks as well.

Ward 5: No water issues yet.

Ward 4: Please keep the fire hydrants in front of houses clear, for easy access for the Fire Department. Alderman Bennett also wanted to thank some City Employees who work very hard on the second floor, and don't get much credit.

Ward 3: Alderman Thomas mentioned Tom Hartnett, and brought up that he is very ill and in the hospital. Council wishes him well and appreciates all that he has done.

Ward 2: With the warmer weather, there is much more noise from people being more active, but there needs to be precaution with noise at night. Nobody has contacted Alderman Silliman about potholes, but she has seen them herself. She requests that people report potholes for them to be taken care of. There will be a housing committee meeting Tuesday at 7 in the Mayor's Conference Room.

Ward 1: There is a Ward 1 meeting set up for the 11th at 7pm at the Burch Building in Suggett Park.

Mayor's report:

Mayor Tobin mentioned plowing and shoveling, and that people should be taking care of it within 24 hours. As for the storms, Mayor Tobin has been receiving many calls from State officials asking how Cortland is with the potential of flooding, certain parts of the state are having issues. The Mayor also recognized a City Police Officer, Trevor Weinz who was recognized by the Chief as officer of the year. Congrats Trevor!

Mayor Tobin asked for an Executive session at the end of the agenda for litigation and contractual issues. No action is expected after. All agreed.

Resolution #18 of 2019 – Resolution to approve and accept the minutes from the January 15, 2019 Common Council meeting.

Motioned by: Alderman Bennett

Seconded by: Alderman Silliman

Approved: Ayes – 8

Nays – 0

Resolution #19 of 2019 – Resolution to approve the special event application along with other required applications for Porchfest on Sunday August 18, 2019. This is the 3rd annual Porchfest event.

This is a great event and people enjoy it.

Motioned by: Alderman McCarthy

Seconded by: Alderman Beckwith

Approved: Ayes – 8

Nays – 0

Resolution #20 of 2019 – Resolution to waive the \$250 amplified music fee for the special event Porchfest on Sunday August 18, 2019.

Motioned by: Alderman McCarthy

Seconded by: Alderman Silliman

Approved: Ayes – 8
Nays – 0

Resolution #21 of 2019 – Resolution to accept Special Event Application for the Cortland County Halloween Parade.

Amanda Funk was present to answer any questions that Council had. There were some concerns over losing a community tradition, but the Cortland Elks Lodge stepped up as an organization to keep it going with no additional cost to the City.

Motioned by: Alderman Silliman
Seconded by: Alderman Thomas

Approved: Ayes – 8
Nays – 0

Resolution #22 of 2019 – Resolution to authorize the City to fund \$1,730 for the Peacemaker Trail.

The money is coming from the recommendation out of contingency. This is a piece of a larger puzzle. There is work being discussed, and potentially being done in Cayuga County, and beyond. There are going to be cycling paths that connect and go throughout the state. For Cortland, it would be from the north end of Homer Ave, to North Main St., to Main St. There is also potential for a bike route on Clinton Ave too. This is just the planning portion.

Motioned by: Alderman Bennett
Seconded by: Alderman Silliman

Approved: Ayes – 8
Nays – 0

Resolution #23 of 2019 – Resolution to approve the funding to support Cortland Regional Sports Council with an annual \$13,000.

Motioned by: Alderman Silliman
Seconded by: Alderman Ferrer

Approved: Ayes – 8
Nays – 0

Resolution #24 of 2019 – Resolution to appropriate proceeds from the sale of four vehicles from the CPD impound lot back to the 2019 Cortland City Police budget line 206.00, to be used towards the purchase and equipping of 2019 police vehicles. The total proceeds from these vehicles for scrap being \$561.40 in a check received on January 14, 2019.

Motioned by: Alderman Bennett
Seconded by: Alderman Michaels

Approved: Ayes – 8
Nays – 0

Resolution #25 of 2019 – Resolution to recognize and appropriate donations totaling \$327.00 (Acct. # Fx-2706) from the bottle and can drive at the Cortland City Water Works, into the Deer Fund maintained by the Water Department, for the exclusive use of improving habitat for the captive whitetail deer herd at the water works.

Motioned by: Alderman Carpenter
Seconded by: Alderman Silliman

Approved: Ayes – 8
Nays – 0

Item #8 – Discussion and set a date for a public hearing on eliminating parking for safety reasons 206-208 Tompkins St.

Alderman Bennett discussed that there is a business that moved from Cortlandville to this location. Jason McCray's "Stupid Choppers" moved onto the property last summer. Within his first week of coming, he did a fundraiser for those suffering from the hurricane in North Carolina. He is doing considerable amount of work in the two buildings there, Phelps automotive and the vacant building next to it. He will be improving the property, and he is already doing a good amount of business there. The problem is as soon as someone comes west coming from Broadway and across the tracks, there is parking from there to the American legion. There is an entry and exit way for Jason's lots, but due to the amount of parking and traffic west, there is a dangerous sightline problems. This went before the public safety committee, but left it up to Alderman Bennett to decide. Alderman Bennett would like for a public hearing on the first Tuesday in March, and then vote on a resolution to eliminate spots, which would be 5 cars, but there are spots on the south side of Tompkins to park, so there will be no major damage. Someone mentioned having visited there on Saturday, and it is very dangerous, even on the opposite side due to the amount of traffic, and Council should consider adding the opposite side, too. There have been accidents in the past because of this problem. This will be voted on at the March 5, 2019 meeting.

Resolution #26 of 2019 – Resolution to lift the hiring freeze for the City Clerk's Office.

It is effective April 30, 2019 due to a retirement.

Motioned by: Alderman Beckwith
Seconded by: Alderman McCarthy

Approved: Ayes – 8
Nays – 0

Resolution #27 of 2019 – Resolution to hire a in the City Clerk's office.

This is a civil service position.

Motioned by: Alderman Silliman
Seconded by: Alderman Carpenter

Approved: Ayes – 8
Nays – 0

Resolution #28 of 2019 – Resolution authorizing the Mayor to execute an Agreement for the City of Cortland to participate in the Regional Rideshare program.

There are no real liability issues for us. This has been something that Seven Valley Coalition has been doing for a while. There is a \$600 fee, but the Mayor has not yet brought this to council because there may be another entity that will cover it.

Motioned by: Alderman Silliman
Seconded by: Alderman McCarthy

Approved: Ayes – 8
Nays – 0

Resolution #29 of 2019 – Resolution to Enter into a Settlement Agreement Regarding Property Taxes, Sewer Special Assessment, Water and Sewer Usage Charges.

Whereas, the Ramada and Red Roof Hotels (“Hotels”) are owned by Shree Ram Hospitality of Lititz, Pennsylvania,
Whereas, the mortgages are currently held by The Mint National Bank,
Whereas, the Hotels are in receivership and being operated by Louis Fournier Receiver for Ramada and Red Roof Inn,
Whereas, the Hotels owed the City \$458,925 in 2017 and 2018 Property Taxes and Sewer Special Assessments,
Whereas, the Hotels owes the City \$14,598 in Water Usage Charges,
Whereas, the Hotels owes the City \$14,774 in Sewer Usage Charges,
Whereas, there is \$47,814 in interest owed the City on the outstanding indebtedness,
Therefore Be It Resolved, that the City will forego the interest owed and accept in settlement for Property Taxes, Special Sewer Assessment, Water and Sewer Usage Fees in the sum of \$497,471,

Motioned by: Alderman Carpenter
Seconded by: Alderman Beckwith

Approved: Ayes – 8
Nays – 0

Resolution #30 of 2019 – Resolution to authorize the Mayor, with the concurrence of a majority of the Members of Common Council, to request the New York State Senate to enact Senate Bill 5861 amending the State Tax Law in relation to the imposition of an occupancy tax in the City of Cortland.

Motioned by: Alderman Bennett
Seconded by: Alderman Silliman

Approved: Ayes – 8
Nays – 0

Resolution #31 of 2019 – Resolution to authorize the Mayor, with the concurrence of a majority of the Members of Common Council, to request the New York State Assembly to enact Assembly Bill 7852 1 amending the State Tax Law in relation to the imposition of an occupancy tax in the City of Cortland.

Motioned by: Alderman Carpenter
Seconded by: Alderman Bennett

Approved: Ayes – 8
Nays – 0

Resolution #32 of 2019 – Resolution to sell the Outstanding Loan Due From the KIK Corporation to the Cortland County BDC.

Whereas, the City has an outstanding loan to the KIK Corporation the proceeds of which were used to acquire pre-treatment equipment,

Whereas, the outstanding balance of the loan as of December 31, 2018 is \$203,305,

Whereas, the remaining term of the loan is six years,

Whereas, the variable interest rate of the loan is sixty percent of prime,

Whereas, the debt service received by the City is ‘Program Income’ and subject to the NYS Office Community Renewal’s recapture rules,

Whereas, the Cortland County BDC has expressed the desire to purchase the loan from the City,

Whereas, the City desires to appropriate the proceeds from the sales of the loan towards funding the construction of new locker rooms and senior facilities connected to Wickwire Pool.

Therefore, Be It Resolved that the City will sell the loan to the BDC for \$151,031 (‘proceeds’) representing a discount rate of 5.25% of the outstanding balance as of December 31, 2018,

Therefore, Be It Further Resolved that the City will guarantee repayment of the loan in full,

Therefore, Be It Further Resolved that the City will appropriate the proceeds to the construction of locker room and senior facilities at Wickwire Pool.

Gary VanGorder was present to answer questions. There needs to be money from the state dedicated by March 31, 2019. If it is not done by March 31, 2019, some of the money that we re-invested will go back to the state. The BDC is willing to do, is a loan that is a price less than the total owed. \$151,000+ will come back to the city immediately and go towards the city’s match for the pool house, WickWire pool.

Motioned by: Alderman Bennett

Seconded by: Alderman Silliman

Approved: Ayes – 8

Nays – 0

Resolution #33 of 2019 – Resolution to add the Greater Tompkins County Health Insurance Consortium’s Platinum Medical Insurance with a Wellness Incentive to the menu of Medical Insurance offered by the City.

Whereas, the City currently offers to employees and retirees only the Classic Blue Benefits \$50/\$150 Medical Insurance Plan,

Whereas, the City is permitted to offer other medical insurance plans administered by the Greater Tompkins County Health Insurance Consortium, (“Consortium”)

Whereas, the City desires to provide **individual employees and retirees an alternative** medical insurance plan for their consideration,

Whereas, the City desires to promote Wellness practices among employees and retirees.

Therefore, Be It Resolved that the City will add the Consortium’s Platinum Medical Insurance Plan as an alternative plan employees and retirees may choose from in selecting medical insurance,

Be it Further Resolved that the City will incentivize Wellness by offering an annual incentive of up to \$1,500 for single enrollees and \$3,500 for family enrollees in the Platinum Medical Insurance Plan for those adults who participate in the “Blue for You” Wellness program and score annually at healthy levels in the Bio-matrix protocols.

The platinum plan does very well. 25% of Tompkins County employees switched to this plan from the classic blue. This is not a lower class plan. Mack made it clear he is not saying there needs to be a change, he is just explaining the options. Some unions can have it, and others do not have to if they do not want. Mack suggest that Cortland adopts the field testing which comes with the platinum plan.

Motioned by: Alderman Beckwith

Seconded by: Alderman McCarthy

Approved: Ayes – 8

Nays – 0

Item #17 – Discussion on the changes for Code Enforcement Fees. There are some roofing companies that have signed contracts from last year, and they can bring it in and we can waive the fee for this year.

Item #18 – Discussion on changing the 2 year term of the elected Council members and Mayor to 4 year term. This is something that is being moved for the Village of Homer, and other neighboring places. There will be a public hearing, and then change a Local Law, which will be on the ballot in November, which will not take place until 2021. This consideration is just to put it to the voters. The next step would be a Public Hearing and Local Law.

Item #19 – Discussion regarding the monthly budget reviews at meetings. Council does receive reports regarding finances of departments, and this year we are giving Council the reports and the ability to discuss them. This increases awareness for the general public as well. A councilmember mentioned wanting to see the individual department's budgets, which give more detail. What is currently used is the general department lines, but not the detailed budget. The problem is that a full budget report is about 63 pages.

Item #20 – Parker School Task Force update. The task force will have a meeting with the potential childcare providers, and there will be a presentation ready for council about how things will work financially. Kat McCarthy will be joining the task force.

Item #21 – DRI update. There are draft contracts, there is a draft RFP for Main St., which will be their largest project, and they are waiting for bids from architects and engineers to start the design. Short term, there is talk about seasonal decorations. The Mayor wants a group of business and property owners on Main St. to get together and talk about decorations. They are the people who are there the most often, and they should give their expertise and input.

Motion to adjourn into executive session:

Motioned by: Alderman Bennett

Seconded by: Alderman Silliman

Approved: Ayes – 8

Nays – 0

Motion to come out of executive session:

Motioned by: Alderman Bennett

Seconded by: Alderman Silliman

Approved: Ayes – 8

Nays – 0

Motion to adjourn:

Motioned by: Alderman Thomas

Seconded by: Alderman Silliman

Approved: Ayes – 8

Nays – 0

I, RAYMOND A. PARKER, CITY CLERK FOR THE CITY OF CORTLAND, NEW YORK, DO HEREBY CERTIFY THAT SAID RESOLUTIONS WERE ADOPTED BY THE COMMON COUNCIL AT A REGULAR MEETING OF THE COMMON COUNCIL OF THE CITY OF CORTLAND, HELD ON THE 5TH DAY IN FEBRUARY 2019. I FURTHER CERTIFY THE FOREGOING RESOLUTIONS WERE PRESENTED TO THE MAYOR IN THE TIME REQUIRED FOR HIS CONCURRENCE IN ADOPTION OR REJECTION BY VETO POWER.

RAYMOND A. PARKER, CITY CLERK

MAYOR BRIAN TOBIN