



City Council **Minutes**
The City of Cortland
April 17, 2018

Council Meeting #8

April 17, 2018

25 Court Street

7:00 PM

Present: Mayor Brian Tobin, Aldermen Michelle Mastropolo, Katy Silliman, John Bennett, Bill Carpenter, Carlos Ferrer, and Troy Beckwith,

Excused: Aldermen Gary Thomas, Thomas Michales

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

Public Hearing #1:

Mayor Tobin opened the Public Hearing at 7:00 PM to hear comments on the proposed new Zoning update.

Bruce Tytler – Expressed being in support of the proposed changes citing the diversity that exists in the neighborhood. Believes that the proposed changes will further help to stabilize the neighborhood.

Lorraine Karpowich – Read the proposal and believes the proposal to be detrimental to her property. Expressed concerns over 300-63, Section D, 2.1 stating that her property would be determined by City government and that the implications the provision has on potential buyers is limiting thereby imposing harm on tenants. Alleged policies exemplify government abuse.

Tom Larson – In favor of the proposed changes. Has experience with zoning in agriculture. “Falls into down zoning” - restricting areas for specific use. Stated that the measures would be limiting to potential buyers, and that the zoning could be redirected to pursue better economic initiatives.

Laura Gathagan – Aware of the limitations on selling to potential buyers. Believes that property values will increase with these potential changes. The neighborhood needs to be residential.

Rich MacDonnell – Opposed to the proposed zoning measures. Wants to sell to whomever can afford to pay the most.

Kevin Halpin – Opposed to the measures. Does not think that government should have right to dictate to whom he can sell his home. Has personal interest as property is affected by the proposed provisions, and believes that provisions will negatively affect his financial future and will seek to sell his property immediately.

Steve Muka – We have high property tax in Cortland, and zoning presents a unique opportunity to change. Property owners can ask for change to zoning to develop property. States that due to ambiguities relating to the term “grandfathered”, the properties on the hill are illegal due to over-occupancy.

Robert Stacy – Expressed concerns over enforcement of the Code. Believes that stronger enforcement of the Code would solve the problem and that law-abiding citizens should not be punished.

Abi Cleary- Close to retirement and lives on the hill. Worries about selling her house due to current climate seeing property values decreasing.

Mayor Tobin closed the Public Hearing at 7:30 PM.

REGULAR SESSION:

Mayor Brian Tobin called the eighth Common Council meeting of the year to order at 7:30 PM.

PLEDGE OF ALLEGIANCE

Public Comments:

Anne Doyle – Concerns about lack of bus station and suggests the intersection of Church-Elm Street and S. Main-Williams as possible locations. Asks for Mayor to comment, to which Mayor Tobin stated that there is one bus shelter in front of the County Office Building and looking at other locations. There is a meeting with Transportation Advisory Board scheduled for Monday, May 21st at 10 AM at 37 Church St. to address the issue.

Mayor's Report:

The Big Event is scheduled for Sunday, April 22nd to clean up the properties around Cortland. Applications will be accepted through Saturday. There will also be a Downtown Cortland clean up on Sunday the 22nd. If interested in volunteering, please contact the Downtown Partnership. A Moment of Silence was asked for the father of Alderman Tom Michales. Recognized Carleton Grantham for 25 years of service, Leslie Buchanan, and Judith Delucia for 30 years of service with the City.

Proclamations:

- Stand Against Racism (April 26-29, 2018): April 24th is WYCA's Stand Against Racism Day.
- Arbor Day (April 27, 2018)
- Paint the Town Purple (April 29- May 5, 2018)
- MDA/IAFF Local 2737 Boot Drive Day (May 12, 2018): Drew Hill, Tony Ortago, and Noah (volunteer) provided the time of the event (8AM-3PM) on May 12th.

Resolution #80 of 2018 - Resolution to approve the April 3, 2018 Common Council Minutes as presented.

Motion By: Alderman Carpenter

Seconded By: Alderman Bennett

Approved: Ayes – 6

Nays – 0

Mayor Tobin asked for an Executive session for contractual matters.

Item #1 – Presentation on Paint the Town Purple.

Christine Bowers was present to talk about the event. They have over 50 vendors available for the event. The hope is to make this year be the biggest event ever. The Corn-Ducky Derby is also that day.

Item #2 – Presentation on a CPD Citizen's Police Academy.

Officer Abbott was present for the meeting. An online survey was done to evaluate possible interest from the community. Many cities in CNY partake in the endeavor. It's intended for educational purposes through a one day a week for ten weeks program. 85% percent of participants indicated interest in the program. This will provide a hands-on opportunity.

Resolution #81 of 2018 – Resolution to approve the special event application including all required permits for ReUnion for the Ages Benefit Fundraiser on July 28, 2018 from 1PM-10PM.

Rhonda Moore: Some of the money raised is going to the Youth Bureau alongside the two designated individuals.

Motion By: Alderman Carpenter
Seconded By: Alderman Silliman

Approved: Ayes – 6
Nays – 0

Resolution #82 of 2018 – Resolution to approve the special event application including all required permits for Taste of Downtown on Saturday, July 7 from 12PM-4PM.

Motion By: Alderman Silliman
Seconded By: Alderman Bennett

Approved: Ayes – 6
Nays – 0

Resolution #83 of 2018 – Resolution to waive the application fees for Taste of Downtown.

Motioned By: Alderman Silliman
Seconded By: Alderman Carpenter

Approved: Ayes – 6
Nays – 0

Resolution #84 of 2018 – Resolution to approve the special event application including all required permits for Mental Health Walk on May 16, 2018 from 11:30AM-1:30PM.

Motioned By: Alderman Bennett
Seconded By: Alderman Beckwith

Approved: Ayes – 6
Nays – 0

Resolution #85 of 2018 – Resolution to approve the special event application including all required permits for Cortland Main St. Music Series for July 6, 13, 20, and 27 of 2018.

Motion By: Alderman Silliman
Seconded By: Alderman Bennett

Approved: Ayes – 6
Nays – 0

Resolution #86 of 2018 – Resolution to waive the open container ordinance for the Cortland Music Series.

Motioned By: Alderman Carpenter
Seconded By: Alderman Silliman

Approved: Ayes – 6
Nays – 0

Resolution #87 of 2018 – Resolution to waive the application fees for Cortland’s Main Street Music Series.

Motioned By: Alderman Silliman
Seconded By: Alderman Bennett

Approved: Ayes – 6
Nays – 0

Resolution #88 of 2018 – Resolution to approve the special event application including all required permits for the Halloween Parade and Trick-or-Treating on Thursday, October 25, 2018 starting at 5:00PM.

Motioned By: Alderman Silliman
Seconded By: Alderman Carpenter

Approved: Ayes – 6
Nays – 0

Resolution #89 of 2018 – Resolution to waive the application fees for the Halloween Parade and Trick-or-Treating.

Motioned By: Alderman Beckwith
Seconded By: Alderman Silliman

Approved: Ayes – 6
Nays – 0

Resolution #90 of 2018 – Resolution to approve the special event application including all required permits for First Light on December 31, 2018 - January 1, 2019 from 10PM – 12:30AM.

Motioned By: Alderman Carpenter
Seconded By: Alderman Beckwith

Approved: Ayes – 6
Nays – 0

Resolution #91 of 2018 – Resolution to waive the application fees for First Light.

Motioned By: Alderman Bennett
Seconded By: Alderman Beckwith

Approved: Ayes – 6
Nays – 0

Resolution #92 of 2018 – Resolution to appoint William Knickerbocker, Robert Rhea, Tom Tobin and Roy Everett as Commissioners of Deeds.

This is to help make the process easier. They are not considered Notaries. This is just to take a statement for depositions. They can only operate within the City of Cortland and no extra pay or stipend is being given.

Motioned By: Alderman Carpenter
Seconded By: Alderman Silliman

Approved: Ayes – 6
Nays – 0

Resolution #93 of 2018 – Resolution to appropriate \$20,000.00 from the sale to Elmira P.D. of 2 Police vehicles to A3120.206.00 to be applied toward the purchase of new Police vehicles for 2018.

Motioned By: Alderman Bennett
Seconded By: Alderman Mastropolo

Approved: Ayes – 6
Nays – 0

Resolution #94 of 2018 – Resolution that Brian Tobin, Mayor of the City of Cortland, is hereby authorized and directed to accept funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$178,305 and enter into and execute a project agreement with the State for such financial assistance to the City of Cortland for Fire Station Window Restoration-Project #174462 and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

Motioned By: Alderman Mastropolo
Seconded By: Alderman Bennett

Approved: Ayes – 6
Nays – 0

Resolution #95 of 2018 – Resolution that Brian Tobin, Mayor of the City of Cortland, is hereby authorized and directed to accept funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$407,586.00, and enter into and execute a project agreement with the State for such financial assistance to the City of Cortland for Pool House Project and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

Motioned By: Alderman Carpenter
Seconded By: Alderman Mastropolo

Approved: Ayes – 6
Nays – 0

Resolution #96 of 2018 – Resolution to appoint Donald Colongeli Sr. to the Ethics Committee for a 3 year term.

Motioned By: Alderman Beckwith
Seconded By: Alderman Carpenter

Approved: Ayes – 6
Nays – 0

Resolution #97 of 2018 – Resolution to include the following events in the City’s General Liability NYMIR policy for the following civic event at a cost not to exceed the listed premium:

- Cortland County Dairy Parade; \$ 0.00 additional premium
- Halloween Parade; \$ 0.00 additional premium
- First Light; \$ 383.90 additional premium

This is to secure event with historic presence within the City.

Motioned By: Alderman Silliman
Seconded By: Alderman Carpenter

Approved: Ayes – 6
Nays – 0

Resolution #98 of 2018 – Resolution to purchase an endorsement to the City’s General Liability policy for the following civic events at the appropriate listed premium:

- Pumpkin Festival; \$ 1,750.00 premium
- Arts and Wine Festival; \$ 585.65 premium
- Cortland Comeback; \$ 500.00 premium

Alderman Ferrer expressed a concern that City tax payers will be paying for this and the organizations should have to provide the extra insurance.

Motioned By: Alderman Carpenter
Seconded By: Alderman Bennett

Approved: Ayes – 4
Nays – 2 (Aldermen Ferrer, Beckwith)

Resolution #99 of 2018 – Resolution to encumber within the City’s 2017 General Fund the following amounts:

- \$27,369.87 encumbered to account A1325-41502 – In Rem Fees
- \$14,720.00 encumbered to account A3120-5206 – Operating Equipment > \$5,000

Motioned By: Alderman Bennett
Seconded By: Alderman Carpenter

Approved: Ayes – 6
Nays – 0

Resolution #100 of 2018 – Resolution to authorize the Mayor to execute the 2018 Professional Services contract for Downtown Landscape Maintenance in an amount of \$19,500 as provided for in the City’s 2018 General Fund budget.

This is a contract the City has done for the last couple years.

Motioned By: Alderman Bennett
Seconded By: Alderman Silliman

Approved: Ayes – 6
Nays – 0

Resolution #101 of 2018 – Resolution to authorize Corporation Counsel to settle an assessment matter regarding Suburban Properties, 25 South Franklin Street property, at \$450,000 FMV. The present assessment is \$531,400 FMV.

Motioned By: Alderman Carpenter
Seconded By: Alderman Bennett

Approved: Ayes – 6
Nays – 0

Item #24 – SEQR on the City Fire Station Windows.

Ric VanDonsel reviewed the short form SEQR with Council to determine no significant adverse environmental impact.

Item #25 – SEQR on the new Zoning update.

Ric VanDonsel reviewed the short form SEQR with Council to determine no significant adverse environmental impact.

Item #26 – SEQR on the Wickwire Pool House.

Ric VanDonsel reviewed the short form SEQR with Council to determine no significant adverse environmental impact.

Item #27 – Discussion on the Administrative Appeals Board.

This Court has determined that they do not have jurisdiction to hear Parking Ticket Appeals. This Board will meet and review appeals then determine the outcome. It will consist of City employees that hold the positions of Corporation Counsel, City Clerk and Director of Finance and Admin.

Enter into Executive Session

Motion By: Alderman Bennett
Seconded By: Alderman Silliman

Approved: Ayes – 6
Nays – 0

Come out of Executive Session

Motion By: Alderman Bennett
Seconded By: Alderman Silliman

Approved: Ayes – 6
Nays – 0

ADJOURNMENT

Motioned By: Alderman Silliman

Seconded By: Alderman Mastropolo

Approved: Ayes – 6
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 17th DAY OF APRIL, 2018. 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