



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

Council Meeting #13

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25 Court Street

7:03 PM

Present: Mayor Brian Tobin, Aldermen Michelle Mastropolo, Katy Silliman, Gary Thomas, John C. Bennett, Carlos Ferrer, Troy Beckwith, William Carpenter, and 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, and Confidential Secretary Devon Rainbow.

**Public Hearing:**

Mayor Tobin opened the Public Hearing at 7:05 PM to hear comments on the proposed new Zoning update.

Jo Schaffer – as a member of the housing committee, Jo has attended the workshop affiliated with this update. The update possesses a large number of vague definitions, needs several editorial corrections, and requires far more careful examination. She implores that the entire document be edited, reexamined, and corrected before voting on it.

Bruce Tytler – supports the new Zoning update.

Steve Muka – why is the majority of rental housing on the college hill over-occupied? The hill is mostly student housing; there is no grandfathering “free for all” date. This is highly detrimental to the city, and there is a law against such a condition.

Mayor Tobin closed the Public Hearing at 7:18 PM

**Public Comments:**

Jim Reeners – Supplied a packet of supplementary information on the zoning update. Reeners wishes to address item #16, resolution on methods to stabilize family housing. In Chapter 300-11, “the purpose of an R1 district is to enhance, protect, stabilize and develop single-family neighborhoods. The operation of any business is not permitted within that district. We would like to add criteria to the chapter to make more specific the definition of a single-family home to prevent the operation of illegal business for rentals in an R1 district. Reeners cites definitions of rentals, investment in homes, and student housing and the ambiguity that follows pertaining to the differences of renting to students versus single-families.

Tom Larson – A single-family home-owner; confirms concerns brought up by Jim Reeners. Larson implores that council “do whatever they can to look at the objectiveness of the value of properties that are going down, as the county won’t...”

Eric Riccardi – Owns a house on Fox Hollow that has been flooding for approximately thirteen years, Riccardi has been overlooked and ignored during the previous administration of the City. His property has dropped in value by 50 percent, and filed a lawsuit that lasted for about three years. He was promised the issue would be fixed with the South End Drainage Project, but it has not, since his house flooded on July 16<sup>th</sup>. He has dates, photos, and files to back up all of his claims. His property value continues to drop with each instance of flooding, which appears to be occurring regularly. He does not wish to file another lawsuit, but will not continue to be ignored.

Carol Tytler – Has lived on the hill for over 32 years, where they raised their family. Rental properties certainly existed then, and embraced the resulting diversity. More and more property is being converted to student housing, almost covertly. Carol finds it disconcerting how quietly and swiftly these conversions take place. In the last five to seven years, an abundance of conversions have taken place, often by the same few people orchestrating the others. Carol fears that oversight and monitoring responsibilities have fallen to the families of the neighborhoods, not the city officials. Future proposals must be absolutely solid and clear of what is right and wrong so that failing oversight does not occur.

Faye Welch – confirms the flooding cited by Eric Riccardi, as well as the flooding that spread to other parts of the neighborhood.

**Resolution #168 of 2018** – Resolution to approve the Common Council minutes of June 12, 2018 and July 3, 2018 as presented.

Motioned by: Alderman Bennett  
Seconded by: Alderman Thomas

Approved: Ayes – 7  
Nays – 0  
Abstentions – 1

**Alderman Carpenter asked for an executive session at the end of the agenda for litigation.**

**Resolution #169 of 2018** – Resolution to approve the Special Event application for the Summer Reading Program Finale Party on Saturday August 18, 2018 from 10AM-1PM in the Courthouse Park.

Motioned by: Alderman Thomas  
Seconded by: Alderman Silliman

Approved: Ayes – 8  
Nays – 0

**Resolution #170 of 2018** – Resolution to waive the application fees for the Summer Reading Program Finale Party.

Motioned by: Alderman Bennett  
Seconded by: Alderman Carpenter

Approved: Ayes – 8  
Nays – 0

**Discussion:** Discussion on Chapter 300-11 of the City Zoning. (Alderman Silliman) Moved from Item #16 to Item #3 in light of substantial discussion regarding the issue from the public.

The Housing Committee has worked for many years addressing the solution of the dilemma of the inability to enforce the laws surrounding rental housing; many cited concerns, and thus the zoning and codes were reexamined.

In an R1 district, it is already in our codes that it is a protected district in which no businesses may operate.

We propose in Article II, 300-11C, the amendment to add single-family rental minimum criteria: tenancy must conform to all federal and local laws, conform to this chapter's definition of family, and that in order to rent a property, the homeowner must obtain a special-use permit. Rentals may thusly still exist, but provides stronger oversight. Those out of compliance would have their permits revoked and prohibited from renting.

Homeowners with revoked permits would be responsible for finding suitable housing for those currently renting from them, pending the relevant stop order.

This is not a major change, but a finer delineation of what already exists in the coding. Considerations have been given to previous renters with prior lease agreements being honored, pending the following year's adjustments.

This cannot be voted on tonight as a resolution. Instead, a public hearing date has been set for August 7<sup>th</sup>, 2018.

**Resolution #171 of 2018** – Resolution to commit NYS CDBG program income received by the City since April 1, 2018 to-date in the amount of \$56,643.00 to the City's fiscal year 2018 CDBG application for Phase II of the Clinton Avenue Water Project.

Linda Armstrong was present to answer questions.

Motioned by: Alderman Bennett  
Seconded by: Alderman Carpenter

Approved: Ayes – 8  
Nays – 0

**Resolution #172 of 2018** – Resolution to appoint Laura Morak as the Deputy Registrar for the City Clerk's Office.

Motioned by: Alderman Thomas  
Seconded by: Alderman Bennett

Approved: Ayes – 8  
Nays – 0

**Resolution #173 of 2018** – Resolution to Recognize and appropriate proceeds from the annual bicycle sale at the Armory by the Cortland City Police, which was held on July 7, 2018, during which 25 bicycles were sold for a total of \$600.00.

\$300 9/11 Memorial Foundation  
\$300 Water Works Deer Fund

Motioned by: Alderman Beckwith  
Seconded by: Alderman Michales

Approved: Ayes – 8  
Nays – 0

**Resolution #174 of 2018** – Discussion and Potential Resolution to approve the donation of 12-16 leftover bicycles from sale to Royal Family Kids, a not-for-profit summer camp for abused, neglected and abandoned children, based upon written request.

Motioned by: Alderman Thomas  
Seconded by: Alderman Mastropolo

Approved: Ayes – 8  
Nays – 0

**Resolution #175 of 2018** – Resolution to accept Economy Paving’s low bid of \$583,358.00 for the Madison St Rehabilitation Project.

We are not completely rebuilding the bridge, but replacing the deck.

Motioned by: Alderman Thomas  
Seconded by: Alderman Silliman

Approved: Ayes – 8  
Nays – 0

**Resolution #176 of 2018** – Resolution to enter into agreement with CDM Smith for \$134,000 for the Construction Inspection and Engineering for Madison St Rehabilitation Project.

Motioned by: Alderman Bennett  
Seconded by: Alderman Carpenter

Approved: Ayes – 8  
Nays – 0

**Resolution #177 of 2018** – Resolution to accept the low bid from Carter’s Tree Service for the Tree removal contract to Carter’s Tree removal for the amount of 14,500.00.

Motioned by: Alderman Carpenter  
Seconded by: Alderman Silliman

Approved: Ayes – 8  
Nays – 0

**Resolution #178 of 2018** – Resolution to issue a RFP for Replacement of Roof and Chiller and Rebuilding Parking Lot at City Hall.

**Whereas**, the City has not replaced either the roof or chiller at City Hall since originally constructed, and  
**Whereas**, it is the opinion of the City’s Building and Grounds Supervisor that periodic repairs will not resolve continuing damage caused by the current condition of the roof, and  
**Whereas**, third floor offices and equipment therein suffered severe damages caused by water intrusion from storms on July 2, 2018, and  
**Whereas**, the condition of the roof makes it probable that the damage caused by the storm of July 2, 2018 will reoccur in future storms, and  
**Whereas**, the conditions caused by the current status of the roof will result in permanent structural damage to the building, and  
**Whereas**, the useful lives of replaced roof and chiller systems are at least 30 years, and  
**Whereas**, the useful of a newly paved parking lot is 10 years, and  
**Whereas**, the condition of the parking lot is at such state of despair that it presents a safety hazard to people and damage risk to vehicles, and  
**Whereas**, the City anticipates future continued use of the building for at least 30 years, and  
**Whereas**, the pre-RFP cost of replacing the roof is \$175,000, and  
**Whereas**, the pre-RFP cost of replacing the chiller system is \$125,000, and  
**Whereas**, the pre-RFP cost of replacing the parking lot surface is \$200,000, and  
**Whereas**, the annual debt service of a 20 year \$277,500, with a 10 year component for the parking lot at 4.00 percent is estimated to be \$44,900.  
**Therefore be it Resolved**, that the City is authorized to issue RFP’s for replacement of roof and chiller systems and rebuilding the parking the parking lot at City Hall, and  
**Be It Further Resolved**, that the City arrange for long-term financing for the cost of replacing the roof and chiller system and rebuilding the parking lot, less reimbursements from the New York State Court System and less any financial participation by New York State agencies and departments and cause such indebtedness to be exempt from the Constitutional Debt Limit, and  
**Be it Further Resolved** that the City collaborate with the Central New York Regional Planning and Development Board, NYSERDA and NYPA to pursue State assistance for costs associated with energy efficient improvements.

Motioned by: Alderman Carpenter  
 Seconded by: Alderman Michales

Approved: Ayes – 8  
 Nays – 0

**Resolution #179 of 2018** – Resolution to Revise the Adopted 2018 General Fund Budget to Fund the Acquisition of a Tractor.

**Whereas**, the City is in need of a tractor to replace a tractor sold at auction, and  
**Whereas**, the cost of a new replacement tractor is \$37,800, and  
**Whereas**, the City will receive a trade in-allowance of \$9,000 for a tractor, and  
**Whereas**, the City has received \$13,800 from the sale of surplus property to be applied towards the acquisition of a new tractor, and  
**Whereas**, a shortfall in funding exists in the amount of \$15,000, and  
**Whereas**, the tractor will be purchased from Account A5010-540500 DPW Administration Funct Equipment.

**Therefore be it Resolved**, that the following accounts within the 2018 General Fund Adopted Budget be revised as follows:

Department	Account Number	Account Description	Available Budget @ July 11, 2018	Action	Transfer	Revised Available Budget
Common Council	A1010-541500	Professional Fees	\$ 12,023	Reduce	\$ 3,000	\$ 9,023
Mayor	A1210-541901	Mayor Initiatives	\$ 15,500	Reduce	\$ 4,000	\$ 11,500
Taxes of City Property	A1950-540000	General	\$ 5,600	Reduce	\$ 2,000	\$ 3,600
DPW Street Cleaning	A8170-540100	Motor Equip Op	\$ 4,250	Reduce	\$ 2,500	\$ 1,750
Storm & Sanitary Sewer	A8140-540100	Motor Equip Op	\$ 2,230	Reduce	\$ 1,000	\$ 1,230
Storm & Sanitary Sewer	A8140-540200	Funct Equipment	\$ 5,050	Reduce	\$ 2,500	\$ 2,550
DPW Administration	A5010-540500	Funct Equipment	\$ 5,215	Addition	\$ 28,800	\$ 34,015
DPW Administration	A5010-42665	Sale of Equipment	\$ 13,820	Reduce	\$ 13,800	\$ 20
Net Effect on Budget					\$ -	

Motioned by: Alderman Carpenter  
 Seconded by: Alderman Silliman

Approved: Ayes – 8  
 Nays – 0

**Resolution #180 of 2018** – Resolution to Revise the 2018 Adopted General Fund to Fund the Acquisition of a Fire Department Rescue Truck.

**Whereas**, Common Council has authorized by Resolution Number 201 of 2017 the acquisition of a Rescue Truck at a cost not to exceed \$400,000 and an Engine at a cost not to exceed \$600,000. The actual costs will be funded in part from a \$190,000 FEMA Grant.

**Whereas**, the Rescue truck is scheduled for delivery on July 24, 2018, and

**Whereas**, the estimated delivered cost of the Rescue truck is \$391,000, and

**Whereas**, the cost of the Rescue truck and Engine, net of the FEMA Grant, will be financed by the issuance of a debt in the Fall of 2018 upon delivery of the Engine.

**Therefore be it Resolved**, that the 2018 Adopted General Fund be revised as follows to reflect the acquisition of the Rescue truck

Department	Account Number	Account Description	Available Budget @ July 11, 2018	Action	Transfer	Revised Available Budget
Fire Department	A3410-42770	Other Unclassified Revenue		0 Addition	\$ 391,100	\$ 391,100
Fire Department	A3410-540200	Motor Equipment Rep	\$ 30,711	Addition	\$ 391,100	\$ 421,811
Net Effect of Budget						\$ -

Motioned by: Alderman Bennett  
 Seconded by: Alderman Mastropolo

Approved: Ayes – 8  
 Nays – 0

**Update:** Report on the DRI by Mayor Tobin; some collaborative projects are moving forth. We are not only seeking to make Main Street attractive, but to reinforce infrastructure as well. The one to two-way road project may be the focus of these funds. Parking and Signage will need to be changed if such a conversion is to occur. Several curbs on the building fronts require attention. Crosswalks will be addressed. There is room for major upgrades and minor fixes. Several projects to follow, including improving upon web communications, housing, and the like that promote community growth.

**Update:** Report on the Progress with the Parker School Project by Mayor Tobin; the first meeting has taken place tonight, one of many to take place. Everyone involved will absolutely have the opportunity to speak and provide input regarding the project. The next steps involve public meetings for potential ideas on the building.

**Discussion:** Cortland Rural Cemetery by Alderman Bennett

The cemetery board of directors, with NYSDC representatives, highlight that in compliance with NYS law a city is not required to take over a failing cemetery, unlike a township. Even so, this is a lot of land to allow to go unattended. Little restructuring of the property is necessary. When a cemetery is considered closed: when a cemetery has hit maximum capacity or can no longer fill its payroll. The cemetery current annual budget is roughly 120,000-150,000 dollars.

DPW and Water Works currently are operating at minimum staff. To take on this project would be putting more unbearable stress on the DPW and force the hiring of more full time employees.

Parking could be facilitated jointly with the University.

Council addresses a number of valid concerns; any further information or questions can be addressed to the Mayor. This will be the subject of potential action and future discussion at the next meeting.

**Enter into Executive Session:**

Motioned by: Alderman Thomas  
Seconded by: Alderman Silliman

Approved: Ayes – 8  
Nays – 0

**Come out of Executive Session:**

Motioned by: Alderman Thomas  
Seconded by: Alderman Silliman

Approved: Ayes – 8  
Nays – 0

**Adjournment:** Motion to Adjourn

Motioned by: Alderman Bennett  
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 17<sup>th</sup> DAY OF JULY, 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.**

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RAYMOND A. PARKER, CITY CLERK

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MAYOR BRIAN TOBIN