



City Council Minutes
The City of Cortland
August 4, 2020

Council Meeting #17
August 4, 2020
Via Zoom
7:00 PM

Present: Aldermen Kat McCarthy, Katy Silliman, Bruce Tytler, William Carpenter, Troy Beckwith, Thomas Michales, Jacki Chapman

Excused: Alderman John Bennett Jr.

Staff Present: Corporation Counsel Ric VanDonsel, Director of Finance Mack Cook, Deputy Police Chief Paul Sandy, Police Chief Catalano, Fire Chief Friedman, Interim Director of Code Enforcement Mike Tenkate, City Clerk Ray Parker, Confidential Secretary Devon Rainbow

Regular Session:

Mayor Tobin called the seventeenth Common Council meeting of the year to order at 7:00PM.

Pledge of Allegiance

Moment of Silence in the passing of John Lewis

Mayor Tobin asked Council to entertain change the Agenda to make #1 Fred Pierce who is in charge of Communications at SUNY to speak on SUNY Cortland's Reopening Plan for the fall semester.

Public Comments

Dr. Mecke Nagel would like to honor John Lewis by reciting one of his quotes. Had a rally on Saturday and the organizers have no say or control over what speakers may say. They spoke their truths. There is a law called the Duty to Intervene and calls for officers to protect citizens from unnecessary or excessive use of force. She proposes a different policing model for the City of Cortland Compassionate Policing with and eye for Customer Service.

Ward Reports:

Ward 1 – Quiet in the 1st Ward.

Ward 2 – Quiet in the 2nd Ward. Schools are grappling with reopening and encourages parents to go to their child's school website and see what the plan is and what their options are. She has been working on a letter supporting our Police Department.

Ward 3 – President Obama’s birthday today. Thank you DPW especially Nic, for some reason had a heck of a time getting a street light hooked up on Broadway but got it done. The college is staggering students starting August 22, 25, and 28. He wasn’t able to attend the Rally on Saturday but watched it on YouTube. A speaker was way off base and he doesn’t agree with them.

Ward 5 – About a week and half ago she was over to Beaudry Park and spoke with two different families who are happy the parks are open. Had a couple issues on couple streets with Code that she is working on.

Ward 6 – Very busy in the 6th ward. Issue resolved on Charles Street with raccoons and woodchuck, another issue with tenants leaving trash by St. Mary’s Church. Miller Street dog attacked some people. Watched the rally on Saturday and he disagreed with a speaker. We have a great Police Department.

Ward 7 – Moving the parking stuff on Hubbard Street. Otherwise it is quiet in the 7th ward.

Ward 8 – Had woodchuck issue. Was upset with a speaker at the Rally in the park. DPW removed tree on Randall Street. Had a homeless issue on Commando Avenue and is hoping this is resolved. Another concern was people not wearing masks in the parks.

Mayor’s Report:

Mayor Tobin read a prepared statement regarding BLM and PD. We can support both. It’s not one or the other. Chiefs, Mayor and City Council are listening to concerns. At the Rally there were controversial statements. We need to de-escalate the tension that is growing. Have a conversation and listen to one another. Porchfest is August 16th, on WHXC 3-5 for live stream.

Resolution #155 of 2020 – Resolution to approve minutes from July 21, 2020 meeting.

Motioned by: Alderman Silliman
Seconded by: Alderman Chapman

Approved: Ayes – 7
Nays – 0

Item #1 – Fred Pierce to discuss SUNY Cortland Plans regarding reopening.

The website is Cortland.edu where you can find their reopening plans. People will expect different schooling. Students will quarantine 14 days prior to schooling. Students coming in from the Governors Watch list, or international will be quarantining 14 days. All students will be answering pre-screening questions daily regularly. Failure to obey or comply is a breach of code and will have consequences. Students will be required to wear masks at all times. All students will be provided 3 masks. Disposable ones will be available in all offices. All students will sign an agreement of expectations before coming on campus. It was suggested by the Mayor that Fred Pierce return the next meeting August 18th for further communication.

Item #2 –Consideration of a Resolution to accept or reject the proposal from Contento’s Auto Sales Inc. for \$60,000 with other consideration (terms set forth in the RFP) as set forth in a proposal for the purchase of the property at 119 Pendleton Street Cortland, NY.

Corporation Counsel stated an RFP went out. Received a single proposal. The offer was lower than the minimum asked. Corporation Counsel suggested to reject and resend out RFP. Alderman Michales would like to see possibly a Zoning change. Alderman Beckwith and Carpenter both suggested accepting the bid. Corporation Counsel stated the price was considerably lower than the minimum bid. There is an agreement between seller and buyer as to what could go in this area.

Motioned by: Alderman Beckwith
Seconded by: Alderman Carpenter

Roll Call: Ward 1 – No, Ward 2 – No, Ward 3 – No, Ward 5 – No, Ward 6 – Yes, Ward 7 – Yes, Ward 8 – No

Fails: Ayes – 2
Nays – 5

Resolution #156 of 2020 – Resolution to Recognize and appropriate \$8,317.69 from Cortland Police Department Line A3120-5402.00 (Vehicle Maintenance) from NYMIR, which constitutes partial insurance coverage for repairs being performed by Royal Motor Company on Car 15, a 2017 Chevrolet Tahoe, sustained during a motor vehicle accident, with total repairs estimated at \$11,394.46.

Motioned by: Alderman Beckwith
Seconded by: Alderman Silliman

Approved: Ayes – 7
Nays – 0

Item #3 – Discussion on the potential for overnight parking on Hubbard Street.

There are concerns regarding emergency services getting down the street and with snow removal on the street. Alderman Michales would like to see it go before the DPW Board for concerns/recommendations. There was a suggestion to possibly have it be permit parking.

Resolution #157 of 2020 – Resolution to accept, recognize and appropriate \$9,112.00 in proceeds from the sale of surplus equipment from the Fire Department to A3410-42665 (Sale of Equipment) and transfer to A3410-540200 (Cont. Motor Equipment) to offset unanticipated repairs to the City Fire Department Aerial truck apparatus.

Motioned by: Alderman Carpenter
Seconded by: Alderman Silliman

Approved: Ayes – 7
Nays – 0

Resolution #158 of 2020 – Resolution to lift the hiring freeze to fill the Account Clerk/Registrars position in the City Clerk’s Office.

Motioned by: Alderman Carpenter
Seconded by: Alderman Chapman

Approved: Ayes – 7
Nays – 0

Resolution #159 of 2020 – Resolution for permission to hire for the Account Clerk/Registrar position in the City Clerk’s Office.

Motioned by: Alderman Silliman
Seconded by: Alderman Tytler

Approved: Ayes – 7
Nays – 0

Resolution #160 of 2020 – Resolution to approve the Mayor to enter into an agreement with Fisher Associates for the Main Street Utility Improvement Project.

Motioned by: Alderman Carpenter
Seconded by: Alderman Beckwith

Approved: Ayes – 7
Nays – 0

Resolution #161 of 2020 – Resolution affirming and approving the Mayor’s Executive Order regarding the enforcement of Covid 19 related precautions including the assembly of people, social distancing and the wearing of masks.

This is what they have for a tentative Executive Order. Quarantine restrictions on social gatherings in the City. Whereas we recognize the dangers that the spread of COVID-19 present and we recognize that with the start of not just public colleges but also public & private schools in the City of Cortland and the return of faculty, staff, students and other employers bringing employees back to work, that our responsibility to protect our citizens including our full time residents, that we recognize the temptation for all to return to normalcy through socialization, entertainment and assembly is going to be attractive but we must meet our obligation to protect and serve our residents. Now therefore as Mayor the Chiefs of Fire and Police shall enforce the following and shall be authorized to enforce the following terms of this order by such means necessary, including employment of various sections of Public Health Law, Criminal Procedure Law, Penal Law of the State of New York. So, effective August 27th at noon through and including September 16th at Noon, any gatherings or events with 25 or more people at any location in the City of Cortland is directed to either be postponed or cancelled. Educational functions, existing community eateries and/or restaurants, and/or establishments licensed by the NYS Liquor Authority are hereby exempted. The Mayor may upon request exempt certain events. Any requests must be supplemented with the events plans for COVID 19 related safeguards and plan implementation. Any violation of this Executive Order may be deemed a violation of Penal Law 44.45.

Alderman Michales asked if any of these violations include fines. Corporation Counsel explained that there is possible jail time as it is a Class B Misdemeanor and a substantial fine. The DA and Judges determine the penalty. The Health Department only approves 30 days at a time.

Motioned by: Alderman Chapman

Seconded by: Alderman McCarthy

Approved: Ayes – 7
Nays – 0

Item #8 – Discussion regarding painting of sidewalks/curbs/streets.

Sidewalks are for pedestrians and if there is paint or other colors on sidewalks it may cause confusion and safety concerns for them. Painting or discoloring of sidewalks or curbs should not be allowed. Two colors being predominately painted in other locations. Blue is typically associated as parking for Handicap. Painting of streets there are some steps that Council followed previously and Mayor Tobin has 10 stipulations for discussion. 1. A request for street painting must be from a city resident. 2. Must contain 30 resident signatures. 3. Establish a permit fee. 4. The design including wording, meaning colors, requested size must be included in the application. 5. Hire or use professional painter or experienced painters who are able to submit some form of past work that is similar or greater in scope than what is proposed. 6. Mayor will work with applicant to choose an appropriate location and ultimately it is the City's discretion where the art work can be displayed. 7. Painting must be done overnight on a night that is determined by the City to minimize disruption of traffic and part of that is selecting a rain date. 8. Type and quality of paint must be approved by the City. 9. Applicant is responsible for the drying process and recommendation would be use of blowers to help dry the surface. 10. Public streets, the plan should be to open by 7am the next morning, no later than 8am. Utility mark outs are exempt. Wait on the painting of sidewalks until Corporation Counsel can look into the 1st amendment rights. You cannot paint State Routes 281, Clinton Street, Tompkins Street, Church, and Port Watson without permission from the State DOT.

Been approached with painting a blue line on Greenbush Street between the yellow lines in front of the Sheriff's Office to the end of Court House Park.

Alderman Carpenter suggested that the painting of Back the Blue should be in a central location just like Black Lives Matter.

Resolution #162 of 2020 – Resolution to approve the painting of an area to be determined by the Mayor working with the applicant of the saying Back the Blue consistent with stipulations put forth previously by City resident.

Motioned by: Alderman Carpenter

Seconded by: Alderman Chapman

Approved: Ayes – 7
Nays – 0

Item #9 – Update on Cortland Forward Committee.

Apryl is one of the leaders at the BLM chapter here in Cortland, and involved with the Cortland Forward Committee. One idea was a sidewalk coloring contest (sidewalks/driveways) where they would get a goody bag with a code word to inspire a design, and chalk to create it. It would be a weekly contest with prizes. Another idea is for a Community Matters fair with games, following social distancing guidelines. She would like to use Suggett Park for the event. She would like to paint Community Matters at Suggett Park in kid friendly way.

Item #10 – COVID19 and Response

Rates throughout the community are low. We have had some complaints coming in and we are responding.

Public Comments:

Kristina Furi stated she has a couple concerns with Council members and their behavior. She also had concerns regarding masking and no masking and how it was to be handled.

Jeff Smith wanted to speak about the Black owners and businessmen/leaders event that is happening Saturday from 1pm to 4pm at Beach House Mall.

Adjournment

Motioned by: Alderman McCarthy

Seconded by: Alderman Chapman

Approved: Ayes – 7
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 4TH DAY IN AUGUST 2020. 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