



City Council Minutes  
The City of Cortland  
**April 15, 2014**

Council Meeting #8  
**April 15, 2014**  
Regular Session  
City Hall  
7:00 PM

**Present:** Mayor Brian Tobin, Alderman Dye, Bennett, Michales, Bird, Dutcher and Ferguson, Ferrer, Silliman

**Absent:** City Clerk, Ray Parker

**Staff Present:** Corporation Counsel Richard Van Donsel, Director of Administration and Finance Mack Cook, Chief Bill Knickerbocker, Superintendent of DPW Chris Bistocchi, Bruce Adams, Dave Stathis, Confidential Secretary to the Mayor Shellie Blaisdell

Public Hearing #1 – 6:30pm – To hear comments on the City of Cortland’s proposal to establish a six (6) Month Moratorium on Boarding Houses.

Speaker: David Funk: Advocate for six month moratorium on boarding houses and indoor commercial lodging. During the six month period the city could make a conservative effort, and follow zoning ordinances. With an overall effort, take the master plan (south end master plan) into account. The definitions are lumped together (boarding, commercial indoor lodging.....) and these need to be clearly defined. There needs to be more control as to the development of low end housing.

There is a need for boarding houses in Cortland The city has indicated housing commission is set up to change the zoning. The city needs to wrap up this portion of it. Please consider the future of Cortland and look at the gateways to figure out the direction the city will take.

Please consider a short term moratorium to have city evaluate the goals. There is ambiguity in the zoning ordinance.

Public Hearing closed at 6:42 pm

Public Hearing #2 – 6:45pm – To hear comments on the Natrium Products proposal of a new warehouse construction at 39-47 Court Street, currently zoned General Business. A proposed amendment to the zoning map to be changed to General Industrial District.

Speaker: Helen Ackroyd (90 Port Watson) – Her property is up against Natrium and she is not happy with having industry that close. It looks as if the City is spot zoning to accommodate those specific requests. Years ago when she purchased her house it was a special government mortgage

designed to keep the area residential. The warehouse is no big deal but what happens in future with what will come into the area with the allowance of Industry. People take care of it with being General Business. Labeling “Industry” business has no concern with appearance. Also, property owners should have been notified in a timely matter. The design of the General Industrial is not compatible with residential neighborhood.

**Speaker:** Jim Baldwin (86 Port Watson) – Just recently notified about the proposed change in the neighborhood and was notified by his neighbor not the city, engineer or Natrium of the intent. During tenure on the Zoning Board of Appeals (2000-2007) and he always had concern about “spot zoning” or the special use permits for specific business. Going from Pendleton to Greenbush – most are residential properties. If zoning changes to General Industry, it will wipe off the entire north side of Port Watson and property value. People have worked really hard to keep it residential. There has been no offer or mention of a buffer for this warehouse to the residents in the area.

**Speaker:** Mike Dexter (In support of Helen and Jim) 50 years of residence – here in support of residence in that neighborhood.

**Speaker:** Mark Chambers (C&S Engineers for Natrium Products)-understands the neighborhood concerns. Mark indicates the boundary protection is part of the plan. Committed to follow the site requirements and zoning requirements for the warehouse. There are plans already developed as the building relates to the site.

Public Hearing closed at 6:59pm

Public Comments:

**Speaker:** Tom Gobel: Back in November the City of Cortland had a public relations nightmare; coming in July it could be another one with Michael Vick coming to Cortland with the Jets.

**Speaker:** Derek Reynolds – A member of the CPFA 3727 Red Cross Real Heroes Award-David Jensen- would like to bring the attention of the award to members of the Common Council. Captain David Jensen had an amazing year and is deserving of this award.

**SPEAKER:** Mike Dexter: - Representing the Landscaping and Design Commission – the tree application was successful, have as many trees as applications. Planning first or second week in May. Good number of applicants. Arbor Day-April 25<sup>th</sup>, planting tree at Suggett Park in front of public pool-early in the morning. Declare Arbor Day-read proclamation at 9am. Tree City USA-a lot of work-certain criteria has to be met. Recognition to Diane Batzing for her hard work and in the time she has put in. Jim Maloney-with National Gird was here doing a great deal of work for the city with his consulting. Anne Doyle, another faithful member.

**REGULAR SESSION:**

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

**PLEDGE OF ALLEGIANCE**

**Minutes of the April 1, 2014 meeting:**

**RESOLUTION #78 of 2014** – Resolution to approve the April 1, 2014 Common Council Minutes as amended.

Motion By: Alderman Ferrer  
Seconded By: Alderman Ferguson

Approved: Ayes – 8  
Nays – 0

Alderman Katy Silliman wanted to give a brief report; the Cortica Joint Commission will present their findings shortly. Also, curbs being torn up during winter season, residents are looking to see what needs to be done to get them fixed. Also, noisy and trash and glass picked up this past weekend. Hopefully, Code is checking properties on the hill area-police looking for loud people at night in residential areas.

Mayor Tobin: Announces a workshop-Climate Action Plan from the Environmental Advisory Board on April 22, 2014 at 6pm at City Hall. Frank Kelly with the Environmental Advisory Committee has put a lot of effort into it.

Kudos to Captain David Jansen and other fire department and will be a pleasure to be there at the Red Cross Heroes award Services and to recognize Captain Jansen for his award. It is nice to hear of the good stories that come out of the work our employees do.

Mayor Tobin read a Proclamation for Arbor Day, April 25, 2014.

Mayor Tobin read a Proclamation for National Day of Prayer on May 1, 2014.

Cortlandville Fire Station will host Disposing of medication properly on April 26, 2014 from 9am-Noon.

**Item #1** – Discussion regarding the Natrium Products proposal of a new warehouse construction on Property at 39-47 Court Street, currently zoned General Business. Natrium is requesting an amendment to the zoning map for this general business district line be changed to General Industrial District.

R.VanDonsel-The State and Env. Review and Consideration for the questionnaire-1<sup>st</sup> SEQR review of project-relative to zone change. When the Site Plan for the warehouse goes through there will be second review. Planning dept will go through. 2 steps –this is the zone change, they will still have to go through the Planning Commission for construction of site. There is a process; Tom Michales wants to table this, to see what they plan to do for a buffer. How big a piece, zone changes 2.5 acres, once code is changes, will open area. 60 Pendleton G1 change. Zoning has to change the Zone GB does not allow for a warehouse. The steps have been started -presented to zoning officer who made the recommendation to County Planning and issued a written report to seek the change in line-map or seek a use variance. Applicant to seek change in map. To pursue a Use Variance-Natrium will work with the neighborhood on buffering. They really want to be a nice neighbor.

A motion was made by Alderman Ferguson and seconded by Alderman Bird to table this item until additional information can be provided.

Motion By: Alderman Ferguson  
Seconded By: Alderman Bird

Approved: Ayes – 6  
Nays – 2 (Alderman Dutcher, Alderman Dye)

**Item #2** – Consideration of a Resolution approving a loan in the amount of \$80,000 pursuant to a recommendation by the City's Community Development Loan Committee and subject to conditions as approved by the Loan Committee. (Thoma Development)

Motion to go into Executive Session:

Motion By: Alderman Bird  
Seconded By: Alderman Ferguson

Approved: Ayes – 8  
Nays – 0

Motion to come out of Executive Session:

Motion By: Alderman Bird  
Seconded By: Alderman Ferguson

Approved: Ayes – 8  
Nays – 0

**Resolution # 79 of 2014** – Resolution to approve a loan in the amount of \$80,000 pursuant to a recommendation by the City's Community Development Loan Committee and subject to conditions as approved by the Loan Committee.

Motion By: Alderman Ferrer  
Seconded By: Alderman Ferguson

Approved: Ayes – 7  
Nays – 0  
Abstain – 1 (Alderman Michales)

**Resolution #80 of 2014** – Resolution to allow the Mayor to close the parking lot between the Marketplace Mall and the VFW from 12:00 noon until 10:30 pm for the Main Street Music Series each day on the following dates: July 11, 18, and 25, 2014 and August 1, and 8, 2014.

This is a great annual event; both Chief Glover and Chief Catalano have no issues regarding the event.

Motion By: Alderman Ferrer  
Seconded By: Alderman Bennett

Approved: Ayes – 8  
Nays – 0

**Resolution #81 of 2014** – Resolution to appropriate proceeds from the sale of two (2) retired undercover police vehicles in the amount of \$5,280.00 to account A3120.206.00-Operational Equipment.

Motion By: Alderman Bennett  
 Seconded By: Alderman Bird

Approved: Ayes – 8  
 Nays – 0

**Resolution #82 of 2014** – Resolution to raise the fee structure on the City Ordinance Fine Violations.

Based on recommendations coming from the Cortica Commission. The Students have said the City would need to stiffer fines.

Motion By: Alderman Bennett  
 Seconded By: Alderman Michales

Approved: Ayes – 7  
 Nays – 1 (Alderman Dutcher)

**Resolution #83 of 2014** – Resolution to approve the following donations to the Wickwire Pool Trust Fund:  
 Thank you from the Board.

<i>Donations</i>	<i>Amount</i>
Sandra Ripic	\$100.00
Robert & Joan Livingston	\$ 40.00
<b><i>Total Donations</i></b>	<b>\$140.00</b>

Motion By: Alderman Bird  
 Seconded By: Alderman Silliman

Approved: Ayes – 8  
 Nays – 0

**Resolution #84 of 2014** – Resolution for the Mayor to enter into an agreement with the Volunteer Companies of the Cortland Fire Department.

Motion By: Alderman Dutcher  
 Seconded By: Alderman Michales

Approved: Ayes – 7  
 Nays – 0  
 Abstain – 1 (Alderman Ferrer)

**Resolution #85 of 2014** – Resolution to appoint Gerald O’Rourke to the Board of Assessment Review Board.

Motion By: Alderman Bennett  
 Seconded By: Alderman Ferrer

Approved: Ayes – 8  
 Nays – 0

**Item #9** – Discussion for the consideration to establish a six (6) month moratorium on boarding houses.

There are State and Federal laws on regulations. Members would like to know what are other cities doing? The city needs clear definitions and outline a general concept. Need more education on this and to continue the discussion at the next meeting.

This item will continue as a discussion at the Common Council meeting of May 6, 2014.

**Resolution #86 of 2014** – Resolution to transfer \$4,000.00 from contingency to the Department of Public Works line 5110-100 (payroll line) to cover the cost of the hiring of summer employees to work GIS mapping of sewer, water, and public safety utilities.

Chris Bistocchi and Dave Stathis presented the current water and sewer mapping. If hired an outside firm, it could cost \$15,000-\$50,000. Proposal is to use college students and the \$4,000 is to have the college students to make the maps. Most recent map is 1950's and has hand written notes. The Sewer map is on linen. It is durable, hand drawn, water main breaks. The new maps will allow for technology to help the DPW and other departments as well. GIS locator = create GIS points, exploded to database. Will be able to use in the vehicles. It doesn't just include utilities – it will benefit the fire dept and police dept with fire hydrants, water flow in winter, provide for where stakes are suppose to be that may get knocked down during plowing or just taken. Maps go to database with the internet and can be used right on the trucks to be used for such things as calls and crime mapping/when and where. GIS locator-records management-fire dept. inter-connected with County locator- future for need to get on board. It has a public relations program as well. It is labor intensive. With \$4000 it pays for – 2 students who have studied this for their major. It will be summer help- 10 weeks, 32 hours per week. It is in hopes to continue to do this as this program has a great deal to offer with the input of information.

Same students in April 2015. Budget for \$4000. What we have vs. what we can do. Water dept bought the GIS program – this gets it off the ground.

Motion By: Alderman Silliman  
Seconded By: Alderman Michales

Approved: Ayes – 8  
Nays – 0

**Resolution #87 of 2014** – Resolution to approve the formation of the City of Cortland Flood Prevention and Response Task Force with Nancy Rongo and Judd Olshan initial members, and additional members to be appointed by the Mayor.

City committee-adhoc committee-give recommendations which is different than boards and commissions. Needs more input-reached out for technical advice. "Task Force" – improve preparedness, mitigate afterwards. Issue impacts, Alderman Dutcher and Silliman expressed interest to being on the task force. It ties into the 911 center. Message getting out-technology is there.

Motion By: Alderman Ferrer  
Seconded By: Alderman Dutcher

Approved: Ayes – 8  
Nays – 0

**Executive Session – for discussion on Labor Negotiations**

Motion to go into Executive Session:

Motion By: Alderman Ferrer  
Seconded By: Alderman Bennett

Approved: Ayes – 8  
Nays – 0

Motion to come out of Executive Session:

Motion By: Alderman Ferrer  
Seconded By: Alderman Bennett

Approved: Ayes – 8  
Nays – 0

**ADJOURNMENT**

Motion By: Alderman Ferrer  
Seconded By: Alderman Dutcher

Approved: Ayes – 8  
Nays – 0

**I, RAY 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 1<sup>ST</sup> DAY OF APRIL, 2014. 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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RAY PARKER, CITY CLERK

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MAYOR BRIAN TOBIN