



City Council Minutes
The City of Cortland
July 15, 2014

Council Meeting #14

July 15, 2014

Regular Session

City Hall

7:00 PM

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

Absent: Alderman Ken Dye

Staff Present: Corporation Counsel Richard Van Donsel, Director of Administration and Finance Mack Cook, City Clerk Ray Parker, Confidential Secretary to the Mayor Shellie Blaisdell

REGULAR SESSION:

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

PLEDGE OF ALLEGIANCE

Public Comments:

Amanda Funk – Upset that the City's partners have lost faith and is terrified other fire departments may choose not to come to our calls when we need the help. There is a train route, there are so many meth labs; to not have this reassurance of help is devastating. Strongly suggests making it a priority and moving #8 on the agenda up to #1 and vote yes on the Mutual Aid Plan.

Tom Gobel – talked about the Noise Ordinance Fee Permits and suggested the board reduces the fee to \$100 or \$150 or no fees at all through January 2015 and for the commercial non profit set at \$0 and to raise the time to 10pm on weekends. Last comment should not have city council bickering and to work with the Cortland Rural Cemetery.

Bob Haight – On behalf of the Chamber of Commerce to support the request of the closure of Main Street for the arrival of the New York Jets; to be similar to past years.

Also, in support of the Noise Ordinance Permit Fee reduction – the Taste of Downtown was successful – to encourage businesses to have more festival events downtown.

Announcement: Wickwire Pool Fund Raiser with Mark's Pizzeria – Mark's Pizzeria is having a fundraiser to raise money for the Wickwire Pool Fund on Wednesday, July 17, 2014 donating all the labor and material from 10:00 am to 10:00 pm.

The Mayor is requesting the addition of two agenda items- clarification and detail on Item #9 and to set a public hearing.

Minutes of the July 1, 2014 meeting:

RESOLUTION #143 of 2014 – Resolution to approve the July 1, 2014 Common Council Minutes.

Motion By: Alderman Bennett
Seconded By: Alderman Ferrer

Approved: Ayes – 7
Nays – 0

Resolution #144 of 2014 – Resolution to allow for the street closures of Court Street and Main Street from Groton Avenue to Tompkins Street on August 9, 2014 from 8:30 am to 4:00 pm for the Brockway Truck Show.

A great event, a great tradition.

Motion By: Alderman Michales
Seconded By: Alderman Dutcher

Approved: Ayes – 7
Nays – 0

Resolution #145 of 2014 – Resolution to approve the closure of Main Street between Court Street and Tompkins Street from 12:00 pm to 7:00 pm on Wednesday, July 23, 2014 for the arrival of the New York Jets.

It has not been confirmed officially however we want to be prepared and move forward in good faith.

Motion By: Alderman Bennett
Seconded By: Alderman Silliman

Approved: Ayes – 7
Nays – 0

Resolution #146 of 2014 – Resolution to lift the hiring freeze to fill the Recreation Services Specialist position within the Cortland Youth Bureau.

John has provided all the information to support this position. With the resignation and retirement of long term employees will allow the position to start at a lower salary and with the other recommended changes it is saving the city money.

There is a high level of dedication of a great staff for the Youth Bureau.

Motion By: Alderman Ferrer
Seconded By: Alderman Michales

Approved: Ayes – 7
Nays – 0

Resolution #147 of 2014 – Resolution to approve the following donations to the Cortland Youth Bureau Budget/Trust Funds as indicated below:

<i>Donation</i>	<i>Amount</i>
<i>Under My Skin for Life</i>	<i>\$3,104.33</i>
<i>May Leary</i>	<i>\$100.00</i>
<i>Gloria Murray</i>	<i>\$100.00</i>
<i>Fay & Kenneth Ferguson</i>	<i>\$100.00</i>
<i>CPD Bike Sale Cash (Sandy)</i>	<i>\$660.00</i>
<i>Total Donations</i>	<i>\$4,064.33</i>

Motion By: Alderman Bird
 Seconded By: Alderman Ferrer

Approved: Ayes – 7
 Nays – 0

Resolution #148 of 2014 – Resolution to have the Mayor sign a contract with Phillip Lytle, LLP to represent the City in its in-rem proceedings.

Phillip Lytle has served in this position for the past three years. Clarification on dates on page 8 04/01/2014 should be 04/01/2015 in the contract.

Motion By: Alderman Ferrer
 Seconded By: Alderman Dutcher

Approved: Ayes – 7
 Nays – 0

Resolution #149 of 2014 – Resolution to have the Mayor sign a Memorandum of Agreement (MOA) regarding Buildings and Grounds and the CSEA. (Amended resolution: was originally called Memorandum of Understanding)

With the delegation of the responsibility of the Armory Building and City Hall given to Nick Dovi with one person to contact this will allow him to make decisions on how to best delegate the work needed whether it be contracted out or completed with in-house staff with specialty skills. The MOU gives the opportunity to use employees in-house that may have the skill-set to help other than what their job is without having to put the work on the back burner.

This is a cost savings to the City, if the City were to hire a professional maintenance person it would be a salary with benefits to take care of light repairs that are not part of any service contracts we currently have.

Motion By: Alderman Ferrer
 Seconded By: Alderman Silliman

Approved: Ayes – 6
 Nays – 1 (Alderman Bird)

Resolution #150 of 2014 – Resolution to adopt the Attached Implementation Plan of the City’s fiscal year 2013 housing rehabilitation Community Development Block Grant Award.

This is 2013 monies – and is the administration portion of the grant for the management and program delivery of the grant for the “owner occupied” program.

Motion By: Alderman Ferrer
Seconded By: Alderman Silliman

Approved: Ayes – 7
Nays – 0

Discussion – A discussion regarding the Mutual Aid Plan and how to proceed.
Alderman Bird urges the Common Council to vote.

Mayor Tobin expressed his concern of the misconceptions as brought up by public speaker Amanda Funk. Everyone is in the plan unless you opt out. The City has not even considered opting out and the general protection of the community is not at risk. It is merely where you are in the plan and you choose how to receive assistance with the calling list to assist. There is a recommendation of “funding”-sharing resources because of the potential of the liabilities the City has as paid staff but no other fire department has. When you are talking about 207A, if someone goes out on a call and is injured the City is liable for that person for the rest of his life. This is a scenario the City is not prepared for. There is no other appropriate time.

Representatives from the Common Council need to meet with the Fire Commission to discuss \$3.7 million which resource we need to protect.

The question was put to Chief Glover about the safety of the county – he stated “if they call us, we will go and if we call on them. They will come”.

Chief Glover indicated the other departments are overplaying and are making panic moves. We are just trying to bring awareness to an uneven playing field. How to deal with the escalating costs from having a paid staff vs. volunteers that are shared. There is a tremendous benefit to sharing our paid staff.

A motion was made by Alderman Ferrer to sign the Mutual Aid Plan but have representatives meet to continue the discussion to address the concerns.

Resolution #151 of 2014 – Resolution to authorize the Mayor to sign the Mutual Aid Agreement for fire protection with continued discussions.

Continuing discussion does council have representatives want to continue discussion with the fire commission funding of the department and other areas of pursuing revenues. Concept of non-profits in the City. Another discussion when more information is available.

Motion By: Alderman Ferrer
Seconded By: Alderman Dutcher

Approved: Ayes – 7
Nays – 0

Resolution #152 of 2014 – Resolution to authorize the Mayor to execute an easement to allow travel across city owned property by David Yaman and/or appointees to access the Buckbee Mears property.

These are access roads with the railroad to cross over. This information was obtained in the foreclosure-the spur extension is not part of the tank property “surplus property”. Plowing that stretch - signal gate will be the responsibility of Yaman. At this time we are just looking at the easement.

Motion By: Alderman Ferrer
Seconded By: Alderman Silliman

Approved: Ayes – 7
Nays – 0

Discussion – Regarding changes to the Charter on the Noise Permit and the fee for commercial business.

Alderman Michales would like to see the Noise Permit Fee be eliminated or reduced to \$100 or \$150 and to have the time changed from 6pm to 10pm and have it be for everyone-commercial or residential.

Resolution #153 of 2014 – Resolution to reduce the noise permit fee to \$100 per event for July 16, 2014 through August 15, 2014.

Motion By: Alderman Michales
Seconded By: Alderman Ferrer

Approved: Ayes – 6
Nays – 1 (Alderman Bird)

Resolution #154 of 2014 – Resolution to allow commercial businesses to purchase a one-time fee for \$100 for multiple events for July 16, 2014 through October 19, 2014 and they would need to apply for that permit from July 16, 2014 through August 15, 2014. They would still need to apply for each event.

Motion By: Alderman Dutcher
Seconded By: Alderman Michales

Approved: Ayes – 5
Nays – 2 (Alderman Bird, Ferguson)

Resolution #155 of 2014 – Resolution to set the noise permit end time for 10:00 pm during the time period of July 16, 2014 through October 19, 2014.

Motion By: Alderman Michales
Seconded By: Alderman Silliman

Approved: Ayes – 6
Nays – 1 (Alderman Bird)

Resolution #156 of 2014 – Resolution to set a Public Hearing to abandon the surplus property and railroad adjacent to Buckbee Mears and property owned by the City of Cortland Department of Public Works near or on Franklin Street for August 5, 2014 at 6:45 pm.

Motion By: Alderman
Seconded By: Alderman

Approved: Ayes – 7
Nays – 0

ADJOURNMENT

Motion By: Alderman Ferrer
Seconded By: Alderman Dutcher

Approved: Ayes – 7
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 15th DAY OF JULY, 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.

RAY PARKER, CITY CLERK

MAYOR BRIAN TOBIN