



City Council Minutes The City of Cortland July 21, 2015

Council Meeting #14

July 21, 2015

City Hall

7:00 pm

Present: Mayor Brian Tobin, Aldermen Linda Ferguson, John Bennett, Clifton Dutcher, Thomas Michales, Katy Silliman, Julie Bird, Ken Dye and Carlos Ferrer (arrived after the public hearing)

Staff Present: Corporation Counsel Richard VanDonsel, Director of Administration and Finance Mack Cook, Police Chief Catalano, Superintendent of Wastewater Plant Bruce Weber, Fire Chief Charles Glover, Deputy Fire Chief Wayne Friedman, Supervisor Department of Public Works Nick Dovi, City Clerk Ray Parker, and Confidential Secretary to the Mayor Shellie Blaisdell

PUBLIC HEARING: to hear comments on the proposal to amend Local Law #11 of 2014 – Membership “Energize NY” set by Common Council on December 2, 2014 (Resolution #222 of 2014) to include “City of Cortland” as requested by the State of New York.

The public meeting was opened at 6:53 pm. There is no one to speak of this matter. The Public Hearing closed at 6:54pm.

REGULAR SESSION:

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

PLEDGE OF ALLEGIANCE

Public Comments:

Corrina Petit – In support as a SUNY Cortland student and a community member – this is good way to bring students and community together and a good unity for growth.

Bobbie J. Lansdowne – speaking on the analysis of the City street lights-the County Office Building being at two of the intersections – there is a great deal of both vehicle and foot traffic. Parking is a major issue which adds to the problem of what to do with the street lights. Supportive of the study to make the best decision for the range of ages of people on these streets.

Brenton Newcomb/Jack Bancroft – In support of the Summer Stage Concert. As young band members to participate it allows the community to see the value and talents and allows them to give something back to the community.

John Pinto – In support of the Summer Stage Concert from the Cortland Elks Lodge. Allows for the college, youth and community interaction. Mr. Pinto states he believes all can overcome the alcohol, security and this event will add so much to the community.

Proclamation – The Mayor read the American Disabilities Act (ADA) Proclamation and Chad Underwood was present to receive it. Chad Underwood thanked the board for the support and invited all to attend the 25th Anniversary ADA event in the Courthouse Park on Saturday, July 25, 2015. Although much has been done over the last 25 years, there is still so much more still to accomplish. He touched on issues of housing, transportation and employment encouraging all to make these issues more visible.

Minutes of the July 7, 2015:

RESOLUTION #127 of 2015 – Resolution to approve the July 7, 2015 Common Council Minutes.

Motion By: Alderman Dutcher

Seconded By: Alderman Ferrer

Approved: Ayes – 6

Nays – 0

Agenda addition: Alderman Linda Ferguson requested an item be added to the agenda: Sound Device Permit Application for Chris Tier. The new agenda item will be added as 10A.

Item #1 – Presentation by Don Barber updating Council on the Tompkins County Health Care Consortium.

Executive Director of Tompkins County Health Care Consortium presented the 2014 annual report. He states they find ways to reduce cost and employee burden and the program is very lean and has financial strength. There are three small municipalities new to the membership by year end with the potential for additional municipalities joining the consortium. The number of covered lives has increased since 2012 and with the management of the plan, they can predict claims fairly accurately.

Resolution #128 of 2015 – Resolution to enter into contract with Hunt Engineers to perform design services and construction management and inspection services for the replacement of two culverts over Otter Creek I the amount of \$68,600.

Amanda Barber with Cortland County Soil and Water provided information regarding the two culverts and the water management, upstream retention and the priority for the Maple Avenue, Arthur Avenue, and Lincoln Avenue.

The cost of \$68,600 is a 2015 budgeted item from the DPW Professional Services line.

Motion By: Alderman Bennett

Seconded By: Alderman Silliman

Approved: Ayes – 8

Nays – 0

Resolution #129 of 2015 – Resolution to allow the City to close the city parking lot between the Cortland Elks Club and the Hollywood Restaurant and to waive any permit fees for a Car Cruise-in fundraising event to be held on Sunday, September 20, 2015 from 1:00pm to 5:00 pm closing the lot the evening before (Saturday, September 19, 2015) to allow for vintage cars to arrive and park for the exhibit. All the proceeds will benefit the Cortland Elks Club Youth Activities Program.

John Pinto was present and explained the fundraising event as a well-organized and successful event.

Motion By: Alderman Ferrer
Seconded By: Alderman Dutcher

Approved: Ayes – 8
Nays – 0

RESOLUTION #130 of 2015 – Resolution to permit amplified music for the Cortland Elks Club Car Cruise-in fundraising event on Sunday, September 20, 2015 from 1:00pm to 5:00pm.

Motion By: Alderman Ferrer
Seconded By: Alderman Silliman

Approved: Ayes – 8
Nays – 0

Resolution #131 of 2015 – Resolution to allow the City to close Main Street between the intersections of Main/Court and Main/Tompkins on Saturday, September 12, 2015 from 3:00 to 10:00pm for the Cortland Summer Stage Concert.

Both Police Chief Catalano and Fire Chief Glover have no concerns regarding the street closures for this event.

Adam Megivern with the Downtown Partnership stated the majority of the downtown businesses are in favor of the event. The committees supported by them are open to all who wish to attend and provide feedback. There will be increased foot traffic for local businesses.

Motion By: Alderman Bennett
Seconded By: Alderman Silliman

Approved: Ayes – 8
Nays – 0

Resolution #132 of 2015 – Resolution to permit amplified music for the Summer Stage Concert on Saturday, September 12, 2015 from 3:00pm to 10:00pm.

There will be three stages for the event with professional working bands, student organizations uniting students into the community. The format/layout is the same as prior years.

Motion By: Alderman Silliman
Seconded By: Alderman Dutcher

Approved: Ayes – 8
Nays – 0

Resolution #133 of 2015 – Resolution to waive the City’s “Open Container” law to permit the consumption of alcoholic beverages on Saturday, September 12, 2015 from 3:00pm to 10:00pm for the Cortland Summer Stage Concert restricted to a designated area.

Alderman Silliman raised concern with this being the second year since Cortica- and sending mixed messages to college students, binge drinking behavior is not tolerated. Concert organizer Chris Merkley expressed the event does not represent binge drinking. The event will have a secured area (tent) and no one is allowed under the age of 21, they will have security employees to check identifications and trained staff with serving alcohol. The financial reality is the alcohol sales are needed to put money back into the community and annual event. Concert organizers welcome all people and create an event where those attending handle themselves responsibly. The organizers have never promoted the event to encourage binge drinking. They consider it to be a cultural event free to the community.

Police Chief Catalano stated there will be additional police staff on duty for the event which is already a very busy time (month of September) and they are working with an already reduced staff (three members down) and encourages clear expectations are communicated.

Motion By: Alderman Bennett
Seconded By: Alderman Ferrer

Roll Call Vote:

Alderman Bird	Nay	Alderman Dye	Aye
Alderman Dutcher	Aye	Alderman Silliman	Nay
Alderman Ferguson	Nay	Alderman Michales	Aye
Alderman Ferrer	Aye	Alderman Bennett	Nay

Mayor Brian Tobin breaks the tie with an Aye vote, passing the resolution.

Approved: Ayes – 4
Nays – 4 (Alderman Bird, Ferguson, Silliman, Bennett)

Resolution #134 of 2015 – Resolution to approve the amendment to Local Law #11 of 2014 “Energize NY” program to include the required working “City of Cortland”.

Motion By: Alderman Ferrer
Seconded By: Alderman Silliman

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

Resolution #135 of 2015 – Resolution to permit a bullhorn sound device on Wednesday, July 22, 2015 from 1:00pm to 4:00pm for a union sponsored event (Informational Picket) at Crown Center, Kellogg Road.

Members of Council expressed concern a union event should not come before Council and the event takes place in a residential area with the possibility that some people work nights and rest/sleep during the daytime and feels it would be disruptive. This is not an area for this type of event.

Mayor Tobin explained this is a union organization where they want to make the community aware of the contract discussions.

Motion By: Alderman Bennett
 Seconded By: Alderman Silliman

Fails: Ayes – 0
 Nays – 8 (Alderman Bennett, Michales, Silliman, Dye, Ferrer, Ferguson, Dutcher and Bird)

Resolution #136 of 2015 – Resolution to accept the following donations to the Cortland Youth Bureau Budget/Trust Funds as indicated below:

<u>Donation</u>	<u>Amount</u>	<u>Event</u>	<u>Budget Line</u>
Town Line Motors, LLC	\$100.00	Fire Camp	A-7550.5405
Hitchcock Hose Co. #6	\$500.00	Fire Camp	A-7550.5405
Total Donations	\$600.00		

Motion By: Alderman Bennett
 Seconded By: Alderman Bird

Approved: Ayes – 8
 Nays – 0

Resolution #137 of 2015 – Resolution to permit amplified music for Tier’s Automotive on Saturday , July 25, 2015 from 1:00pm to 4:00pm for a customer/Vendor Appreciation Day.

Chris Tier opened his business two years ago and he just wants to thank the customers and community for his success with an appreciation day. Plans on having pizza/soda and a band (Steve Southworth). He does not plan on serving alcohol.

Motion By: Alderman Ferguson
 Seconded By: Alderman Dye

Approved: Ayes – 8
 Nays – 0

Resolution #138 of 2015 – Resolution to appoint Ronald Sickmon to the Board of Assessment Review effective July 22, 2015 through July 21, 2020.

Motion By: Alderman Dutcher
Seconded By: Alderman Silliman

Approved: Ayes – 8
Nays – 0

Resolution #139 of 2015 – Resolution to approve submission of a New York Main Street Grant in an amount not to exceed \$500,000 (0% match), to provide grants to downtown property owners to renovate buildings, and upon approval, enter into a project agreement with the State for such financial assistance.

Resolutions #139-148 are all connected for consolidated funding. All the grants require resolution of approval. At this time, it is for approval to submit the applications only. The only cost involved is time and effort.

Motion By: Alderman Bennett
Seconded By: Alderman Silliman

Approved: Ayes – 8
Nays – 0

Resolution #140 of 2015 – Resolution to approve submission of an Environmental Protection Fund (EPF) application in an amount not to exceed \$500,000 (10% match) to undertake repairs to the roof and masonry of the Court Street Fire Station and, upon approval of said request, to enter into a project agreement with the State and a conservation easement/preservation covenant to the deed of the property if required by the State.

Motion By: Alderman Bennett
Seconded By: Alderman Ferrer

Approved: Ayes – 8
Nays – 0

Resolution #141 of 2015 – Resolution to approve submission of an Environmental Facilities Corporation (EFC) application in an amount not the exceed \$1,917,790 (10% match) to undertake construction of Green Storm water Management Infrastructure as part of the Clinton Avenue and street scaping project and upon approval of said request, to enter into a project agreement with the State.

This is a multi-million dollar project with the effort of trying to fund as much of it as possible through grants and away from loans. The match is with “in-kind” services and reduces the burden to tax payers.

Motion By: Alderman Bennett
Seconded By: Alderman Michales

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

Resolution #142 of 2015 – Resolution to approve submission of a NYS Secretary of State Local Government Efficiency Grant Application in an amount not to exceed \$25,000 (50% match) for the logistical operational and fiscal issues inherent in the construction of a joint police and fire public safety facility.

The match comes from community development funds and not general fund.

Motion By: Alderman Ferrer
Seconded By: Alderman Bennett

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

Resolution #143 of 2015 – Resolution to approve submission of a NYS Secretary of State Local Government Efficiency Grant Application in an amount not to exceed \$600,000 (10% match) for Phase II of the Cortland, Cortlandville and Village of Homer Smart Water Meter Program.

11,312 meters installation with wireless software. A 2.4 million dollar project with 90% funded through grants.

Motion By: Alderman Ferrer
Seconded By: Alderman Silliman

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

Resolution #144 of 2015 – Resolution to approve submission of a NYS Secretary of State Local Government Efficiency Grant Application in an amount no to exceed \$600,000 (10% match) for construction of a multi-jurisdictional vermicomposting pilot facility.

Motion By: Alderman Silliman
Seconded By: Alderman Ferrer

Approved: Ayes – 8
Nays – 0

Resolution #145 of 2015 – Resolution to approve submission of a an Environmental Facilities

Motion By: Alderman Ferrer
Seconded By: Alderman Ferguson

Approved: Ayes – 8
 Nays – 0

Resolution #146 of 2015 – Resolution to approve submission of a NYS Department of Transportation (NYSDOT) and NYS Energy Research and Development Authority (NYSERDA) Application in an amount not to exceed \$250,000 (25% match) for the planning and engineering services of pedestrian and bike pathways, within the City with connections to the Village of Homer.

This is to bring the project to shovel ready. The NYSDOT and NYSERDA partnering match does not come out of any city budget.

Motion By: Alderman Bennett
Seconded By: Alderman Silliman

Approved: Ayes – 8
 Nays – 0

Resolution #147 of 2015 – Resolution to approve submission of an Empire State Development Planning application, in an amount not to exceed \$35,000 (20% match) to undertake a traffic analysis related to a two-way Main Street and upon approval, enter into a project agreement with the State for such financial assistance.

This is for a two-way traffic analysis for Main Street. It will analyze traffic patterns, traffic lights, pedestrian traffic etc...

Motion By: Alderman Bennett
Seconded By: Alderman Silliman

Approved: Ayes – 5
 Nays – 3 (Alderman Dutcher, Ferrer, Bird)

Resolution #148 of 2015 – Resolution to approve submission of a Cleaner, Greener Communities Program application, in an amount not to exceed \$350,000 (25% match) for Phase 2 of the Exit 11 and Clinton Avenue Gateway Initiative and upon approval, enter into a project agreement with the State for such financial assistance.

Motion By: Alderman Ferrer
Seconded By: Alderman Bennett

Approved: Ayes – 8
 Nays – 0

Resolution #149 of 2015 – Resolution to retain the services of a professional traffic engineer to evaluate traffic control devices at the intersection of Greenbush Street/Elm Street, Greenbush Street/Central Avenue, Elm Street/Pomeroy Street and Pendleton Street/Valley View Drive at a cost not to exceed \$10,000.

This is to have a study completed to provide the best possible method of traffic control at these intersections and to best regulate the traffic control. The objective decision to be made based on the best available data. This is a perfect time for the study due to the age of equipment. It calculates in traffic engineer, logistics, and police data to warrant an analysis best for each intersection.

Motion By: Alderman Silliman
Seconded By: Alderman Ferguson

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

Item #23 - SEQR Analysis by Common Council with findings to be determined for several grants.

SEE THE ATTACHED SPREADSHEET FOR SEQR Q&A FOR RESOLUTIONS #139-148

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 21st DAY OF JULY, 2015. 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