



## City Council Minutes The City of Cortland September 15, 2015

Council Meeting #18

**September 15, 2015**

City Hall

7:00 pm

Present: Mayor Brian Tobin, Alderman Linda Ferguson, John Bennett, Clifton Dutcher, Ken Dye, Tom Michales, Carlos Ferrer, Julie Bird, Katy Silliman

Staff Present: Corporation Counsel Richard VanDonsel, Director of Administration and Finance Mack Cook, Police Chief Catalano, Fire Chief Glover, Superintendent of WWTP Bruce Adams, City Clerk Ray Parker and Confidential Secretary to the Mayor Shellie Blaisdell

### **REGULAR SESSION:**

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

### **PLEDGE OF ALLEGIANCE**

#### **Public Comments:**

Abi Cleary – a resident on Stevenson Street who is asking the Common Council to pay attention to the rough start to the new college school year over the next few weeks or month. It is present in the neighborhood. There are less houses with families and more houses with students. There is litter and rental signs everywhere that were once temporary but have become permanent and at an “out of control” amount. Is concerned about Cortica for this year. Please continue to think about what is to come.

**RESOLUTION #176 of 2015 – Minutes** - Resolution to approve the September 1, 2015 Common Council Minutes as amended.

Motion By: Alderman Ferrer

Seconded By: Alderman Silliman

Approved: Ayes – 8

Nays – 0

**Proclamation** – Mayor Tobin read the Fire Prevention Week, October 4-10, 2015.

Proclamation – Mayor Tobin read the Disability Employment Awareness Month of October. After the reading the Mayor presented it to Aaron Baier from Access to Independence who spoke the board and the public to say thank you for support indicating employment is one contributing factor to quality of life followed by housing and transportation. Encourages work with the government to produce new type of employment not just traditional.

**Recognition** – is given to Claudia Natale who has worked as a School Crossing Guard for 25 years. Chief Catalano accepted the award on her behalf with conveyed appreciation of the recognition.

**Presentation** – was given by Randy Shepard and Karen Sony with the Bonadio Group on the City’s Audited Financial Statements for the years ended December 31, 2014 indicating there was nothing significant and there were no issues of non-compliance. An overall positive year.

**Resolution # 177 of 2015** – Resolution to accept the City’s Audited Financial Statements for the Year Ended December 31, 2014 together with Independent Auditor’s Report.

Motion By: Alderman Bennett

Seconded By: Alderman Silliman

Approved: Ayes – 8

Nays – 0

**Resolution #178 of 2015** – Resolution for the City of Cortland to accept the Cortland Downtown Partnership request for the Halloween Parade on October 29, 2015. The parade route will start at 2 Main Street turning left onto Court Street – entering the parking lot by the fire station to end. (Jane Witty, Cortland Downtown Partnership).

1. The Cortland Downtown Partnership (CDP) request that the City of Cortland close down Main Street between Groton Avenue and Tompkins Street from 5:00pm Thursday, October 29, 2015 until 8:30pm for the Halloween Parade.
2. The CDP requests to close the parking lot that connects Court Street to the Port Watson Street (Cortland Repertory Theatre) on Thursday, October 29, 2015 from 5:00pm until 8:30pm to allow for the Cortland Halloween Parade (landing).
3. The CDP requests approval for the sound device permit for live music musicians participating in the Halloween Parade on Thursday, October 29, 2015 from 6:00pm to 8:30pm.
4. The CDP request the Showmobile fee to be waived for the Halloween Parade event on Thursday, October 29, 2015.

The parade route has changed since last year. This new route will avoid children crossing at the busy intersection at Tompkins.

Motion By: Alderman Bennett

Seconded By: Alderman Dutcher

Approved: Ayes – 8

Nays – 0

**Resolution # 179 of 2015** – Resolution to for the Supplemental Agreement #2 for PIN 375533, DO033780, reserving a dollar amount of \$624,100 for the Miscellaneous Bridge Repairs, City of Cortland, amending the previously adopted “Schedule B” (Phases, Sub-phase/Tasks and Allocation of Responsibility).

Our matching share is unchanged. The change is coming from an additional \$313,000 in reserve for when completed.

Motion By: Alderman Dutcher  
Seconded By: Alderman Silliman

Approved: Ayes – 8  
Nays – 0

**Resolution #180 of 2015** – Resolution to authorize and direct filing an application for housing funds from the New York State Office For Community Renewal under the U.S. Department of Housing and Urban Development’s Small Cities Community Development Block Grant Program for Fiscal Year 2015, in an amount not to exceed \$500,000; to authorize the Mayor of the City of Cortland to sign said application on behalf of the City; and upon approval of said request to enter into and execute a grant agreement with the State for such financial assistance to the City of Cortland.

Linda Armstrong explained the grant is for income rental property from 1 – 7 units (it could be a single family home rental property). The property must be tenant occupied and not owner occupied. Any application has to be first reviewed by the loan committee to make a decision. Applications are low to moderate income with the same criteria used with meeting 80% of the county median income. A base income of a household of 1 is \$34,350, and a household of 4 is \$48,000. With the new director and regulations of HUD, this allows HUD to buy properties and then give to low income housing. There is not one area of concentration, all areas are considered. HUD has identified a need with more than half of all rentals seeking grants to provide for the needs in the community with an aging housing stock

Alderman Dutcher expressed his (and some constituents) concerns with the changes within HUD (new director, new regulations) allowing them to come in, purchase housing, provide for the rehab and give them to low income and minority people and they are not happy about it. Linda Armstrong responded that with this grant, they want everyone to have equal opportunity in the community.

Motion By: Alderman Bennett  
Seconded By: Alderman Ferrer

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

**Resolution # 181 of 2015** – Resolution approving a request for \$68,000 in NYS OCR Economic Development Program Income for a downtown project as recommended by the City's Community Development Loan Review Committee subject to the terms and conditions recommended by the Committee for said project.

The loan request is for 40-42 Main Street and will primarily going to the Interior first floor space to generate an income stream.

Motion By: Alderman Bennett  
Seconded By: Alderman Silliman

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

**Resolution #182 of 2015** – Resolution to approve the closing of Court Street from Church Street to the bank parking lot entrance for the Fire Station Open House on October 3, 2015 from 8:00am to 4:00pm.

Motion By: Alderman Dutcher  
Seconded By: Alderman Silliman

Approved: Ayes – 8  
Nays – 0

**Resolution #183 of 2015** – Resolution to permit the operation of a Beer and Wine Tent to be located within the confines of the Market Place Mall parking lot, subject to the recommendations of the Downtown Partnership Promotions Committee, on October 3, 2015 between the hours of 11:00am and 6:00pm and permit the closure of said parking lot beginning at 6:00pm Friday October 2, 2015 through 8:00pm Saturday, October 3, 2015 for purposes of preparation and after-event clean-up. Net proceeds to be divided equally between the Pumpkin Festival Committee and the Downtown Music Series.

Members of Common Council indicated they applicant did not follow procedures of having a documented request (there was only a verbal request), or working with the Downtown Partnership with a completed application, and the application was not presented to the Clerk/Mayor office in the time period allowed.

Mack Cook explained on behalf of the applicant they are working with DP however their next meeting is days before the event. There was due diligence done to ask businesses in the Market Place Mall and there was no one objecting. Previous concerns had been private business using public land and making money. Mack explained the proceeds would be completely audited and would be given to the Pumpkin Festival.

Alderman Dye stated he thought last year’s event was a one-time thing and it now looks to be an annual event. Mack Cook stated there has always been a beer and wine tasting event during the pumpkin Festival – last year it was moved to the Market Place Mall instead of under the tent at Pumpkin Festival.

(Roll call vote was taken)

Motion By: Alderman Bennett  
Seconded By: Alderman Dutcher

**Vote Fails:** Ayes – 1 (Alderman Dutcher)

Nays – 7 (Alderman Bennett, Michales, Silliman, Dye, Ferrer, Ferguson and Bird)

**Item #9** Consideration of a Resolution to waive the City’s Open Container Ordinance to permit the consumption of alcoholic beverages within the tent in the Market Place Mall parking lot in connection with the Beer and Wine event on October 3, 2015 between the hours of 11:00 am and 6:00 pm.

***This agenda item was removed due to the failed resolution #183.***

**Resolution #184 of 2015** – Resolution to appropriate proceeds in the amount of \$2,000 from the sale of a 10x18’ Range Shed currently located at the McGraw Sportsman Club utilized for firearms training. Proceeds will be used towards the purchase of a new 12’x20’ Range Shed at the training facility – Blodgett Mills Sportsman Club.

The City Police Department is moving to a better facility with a new shed for the same price.

Motion By: Alderman Michales  
Seconded By: Alderman Bird

Approved: Ayes – 8  
Nays – 0

**Presentation** – was given by Adam Megivern with the Downtown Partnership of research findings describing the role of Restaurants, Taverns and Hotels located within the City could have in the marketing of Cortland County as a winter tourism destination and the possible impact on economic development.

Presenting the concept of a ski and stay vacation destination opportunity partnering. The average ski day is four (4) hours – what are you doing the rest of the time? Once they get here and staying overnight – they will be coming to the night life, cultural events and another valuable assets we have. There is a large portion of visitors who will seek accommodations away from the mountain. The range of restaurants is the key element – in context of ski tourism. This key for Cortland to offer casual to fine dining along with other activities for an enjoyable time.

Adam stated Cortland has a great product. The true economic driver with restaurants being the 4th highest income generator for our community. With Greek Peak being a 4 season destination there is more potential with putting together a marketing plan.

**Resolution #185 of 2015** – Resolution to lift the hiring freeze to fill the vacancy of Secretary to the Mayor position effective September 21, 2015.

Mayor Tobin stated the salary is set by following the SIEU Contract – there is no negotiation. The new hire will work a 40 hour week and provide secretarial support to the Common Council meetings, the Historic Commission, Planning Commission and Zoning Board of Appeals which meet after normal business hours. The Mayor will be responsible for the hiring and would like to have the position filled by Monday, September 21, 2015.

Motion By: Alderman Ferrer  
Seconded By: Alderman Dutcher

Approved: Ayes – 8  
Nays – 0

**Resolution #186 of 2015** – Resolution to allow Shellie Blaisdell to work on a part-time basis at an hourly rate of \$16.00 through the hiring and training process to maintain workflow in the Mayor’s office for a period of one (1) not to exceed sixty (60) hours.

Alderman Bird expressed concern this would start a precedent. Mayor Tobin explained the need with .....

Motion By: Alderman Bennett  
Seconded By: Alderman Michales

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

**Resolution #187 of 2015** – Resolution to accept an anonymous restricted gift of \$700 for the City of Cortland-Department of Public Works and \$1,000 for the City of Cortland Water Works Deer Fund from an anonymous donor. (Mayor Brian Tobin)

Motion By: Alderman Ferrer  
Seconded By: Alderman Bennett

Approved: Ayes – 8  
Nays – 0

**Item #15** – Discussion on Rental Permit Signage. (Alderman Katy Silliman)

**Item #16** – To set a date for a public hearing to hear comments on a proposal to modify the code sections on littering on private property.

The Common Council set a public hearing date of October 20, 2015 at 6:40pm.

**Executive Session:**

Motion By: Alderman Ferrer  
Seconded By: Alderman Dutcher

Approved: Ayes – 8  
Nays – 0

**Return from Executive Session:**

Motion By: Alderman Ferrer  
Seconded By: Alderman Dutcher

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 15<sup>th</sup> DAY OF SEPTEMBER, 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**