



City Council Minutes The City of Cortland October 20, 2015

Council Meeting #20

October 20, 2015

City Hall

7:00 pm

Present: Mayor Brian Tobin, Aldermen Linda Ferguson, Clifton Dutcher, Thomas Michales, Julie Bird, Carlos Ferrer

Absent: Aldermen Kathryn Silliman, Ken Dye, John Bennett

Staff Present: Corporation Counsel Richard VanDonsel, Director of Administration and Finance Mack Cook, Police Chief F. Michael Catalano, Fire Chief Charles Glover, Superintendent of WWTP Bruce Adams, City Clerk Raymond A. Parker, and Confidential Secretary to the Mayor Devon Rainbow

6:53PM- PUBLIC HEARING: To hear comments for the proposed local law “Littering of places in plain view of the public”, and “Owners and occupants to keep sidewalks clean” an amendment of Chapter 181-3 and 181-5 of the City Code.

Tom Gobel- Can we have the city pick it up and charge the landlords?

The Public Hearing closed at 6:55PM

REGULAR SESSION:

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

PLEDGE OF ALLEGIANCE

Public Comments:

John Folmer – Standing in for Kirby Thompson of Cortland Repertory Theater. He is here if anyone has questions or concerns regarding any events at the Theater. He would also like to thank everyone for their support of the theater in the past and the present.

Karen Armstrong – Wanted to check in on the intersection study that was done. Karen spends a fair amount of her time going around and picking up garbage in her neighborhood. She has concerns that the new garbage bid will mean more garbage to be picked up because people won't be buying blue bags. Karen would also like to see a dog park in the community. She is willing to help donate her time and knowledge to the dog park.

RESOLUTION #197 of 2015 – Minutes - Resolution to approve the October 6, 2015 Common Council Minutes as submitted.

Motion By: Alderman Ferrer
Seconded By: Alderman Bird

Approved: Ayes – 5
Nays – 0

Proclamation – Mayor Tobin read the Extra Mile Day Movement of November 1, 2015.

Mayor Tobin Today was opening day of Memory Café'. It was established by a group of volunteers from the City of Cortland. It is in the community center and they meet once a month for support regarding Alzheimer's and Dementia. For more information, contact Richard Stock.

Alderman Clifton Dutcher requested to add a discussion to the agenda regarding a dog park within the City of Cortland. – approved by council to add

Alderman Carlos Ferrer requested an Executive Session be added at the end of the meeting to discuss contract negotiations. – approved by council

Resolution # 198 of 2015 – Resolution to accept the bid prices from Bert Adam's Disposal for the Trash and Recycling Contract January 1, 2016 to December 31, 2018.

On August 1, 2015 a letter was received from Casella terminating their contract with the city. Their last day will be December 31, 2015. A bid was placed out to the public and was opened on September 17, 2015. Five different bids were received by five different companies. A decision was made to go with Bert Adam's Disposal. They cover other areas in comparison to Cortland and come highly recommended. The contract is for 3 years and is written so that either party has the option to void the contract within 120 days.

Bert Adams came forward to say thank you for the approval of the new contract.

Motion By: Alderman Dutcher
Seconded By: Alderman Ferrer

Approved: Ayes – 4
Nays – 1 (Alderman Bird)

Mayor Tobin asked permission to move item #5 on the agenda up to #2 on the agenda. Council approved

Resolution #199 of 2015 – Resolution to waive applicable parking restrictions in the Port Watson/CRT and Fire Station parking lots on the below listed dates and times to accommodate Cortland Repertory Theater Productions:

October 21 - 6 PM - 11 PM Event: Preview night performance of "Always...Patsy Cline" (this is not a public performance, but is attended by our volunteers and guild).

October 22, 23 and 24 from 6 PM - 11 PM Event- "Always Patsy Cline"

October 25 from 1 PM - 6 PM

October 30 from 6:30 PM - 11:30 PM	
October 31 and November 1 from 1 PM - 6 PM	
November 5 from 1 PM - 11:30 PM	
November 6, 7 from 6:30 PM - 11:30 PM	
November 8 from 1 PM - 6 PM	
November 13, 14 from 6:30 PM - 11:30 PM	Event- "Late Nite Catechism"
December 5 from 9 AM 5 PM	Event- "A Day with Santa"
December 12 from 6:30 PM - 11:30 PM	Event- "CRT Cabaret Night"
December 31, January 1, 2016 from 7 PM - 1 AM	Event- "Dancin' Thru the Decades"

A sign will be up on the evening of the performances that lets people know the parking fees will be waived on those nights. There is concern with the New Year’s Eve show interfering with the fireworks. Mr. Folmer does not think it will be an issue. Chief Catalano stated that they see no issue with the show times. There are a couple days where they could waive the parking fee for the show. The show should not affect the permit holders in the parking lot due to it being later in the evening.

Motion By: Alderman Dutcher
Seconded By: Alderman Michales

Approved: Ayes – 5
Nays – 0

Item #3 – Discussion regarding City of Cortland Blue Bag prices for the upcoming budget year.

Currently the price of blue bags does not cover the cost of pick up. With the new bid and the cost of the new company, we would have to increase the blue bag cost by \$ 0.17. This will cover the cost through 2018. Alderman Dutcher wonders if there are other options to look at rather than raising the price of blue bags. He suggested that the money that is budgeted to the wards go toward the cost of garbage removal.

Mayor Tobin suggested that we continue the discussion at the meeting in November. He asked that the ward members talk to the community and get feedback from them. – All council members agreed

Resolution #200 of 2015 – Resolution to approve the Mayor’s 2016 Tentative Budgets.

Whereas; the Mayor submitted his 2016 Tentative Budgets for the General Fund, Waste Water Fund and Water Fund on August 4, 2015,

Whereas; presentations and discussions of said 2016 Tentative Budgets have occurred between departments, Mayor and Members of Common Council,

Whereas; after a public hearing, but no later than December 31, 2015, Common Council may add or subtract, increase or decrease, items of appropriation or anticipated revenues from the Proposed City Budgets except appropriations required by law or for debt service.

Therefore be it resolved that the Mayor’s tentative 2016 Budget for the General Fund, Waste Water Fund and the Water Fund as submitted are hereby approved which shall upon adoption of this resolution become the City’s 2016 Proposed Budgets which shall be filed with the City Clerk.

Motion By: Alderman Dutcher
Seconded By: Alderman Ferrer

Approved: Ayes – 5
Nays – 0

Resolution # 201 of 2015 – Resolution to cause the City Clerk to publish in the City’s official newspaper an itemized abstract of the City’s 2015 Proposed Budgets for the General Fund (6:30), Water Fund (6:40) and Waste Water Fund (6:50) and notice that on Tuesday, November 3, 2015 starting at 6:30 PM in Council Chambers at City Hall, Common Council shall hold a Public Hearing on each proposed budget. At such hearing any persons may be heard for or against the City’s Proposed Budgets, or any item thereof.

Motion By: Alderman Dutcher
Seconded By: Alderman Bird

Approved: Ayes – 5
Nays – 0

Resolution #202 of 2015 - Resolution to accept the volunteer application of Juliene Ray for the Zoning Board of Appeals.

She comes recommended by a City employee. No relation to other board members and currently fits the criteria required for the board.

Motion By: Alderman Ferrer
Seconded By: Alderman Bird

Approved: Ayes – 5
Nays – 0

Item #7 – Presentation on the accrual of compensatory time by city employees, and the City's position on the investigation by the Federal Department of Labor.

Mack Cook explained that there are only 3 departments that are affected by this. He went into detail for each department as to where the city stands with them.

Police department: The officers receive 88 hours of “Accumulated Comp Time” at the onset of each year. This is given to them because they are required to arrive 15 minutes prior to each shift for briefing. The 15 minute briefing period is not recorded as hours worked. That’s where the 88 hours given at the beginning of each year comes in. City Police Officers may receive time and one

half of their hourly rate of pay when they work beyond a 40 hour work week. There are several hourly rates that a City Officer may receive depending on what position or shift they are working. A review was conducted of the regular rate variance and it was determined that the average variance between the overtime amount paid based on the hourly rate and the overtime amount due based on the regular rate resulted in an average of \$1.00 per hour of overtime worked. This was agreed to at the meeting.

Fire Department: City Fire Fighters receive 110 hours of “Kelly Time” at the onset of each calendar year. This is given as paid time off for employees at the fire department. Fire fighters work 4 days on and 4 days off so they work between 34-48 hours per work week as the schedule flows through the calendar year. Due to the 8 hours of overtime worked throughout the calendar year, the City recognizes that approximately 110 hours of overtime are worked; awarding Kelly time. Kelly time is paid at straight time, not time and one half per 1 hour of overtime worked. The additional half time premium is due for these overtime hours, or an additional 55 hours per year of Comp Time.

Youth Bureau: Youth Bureau members receive 1 hour of “flex time” per every 1 hour of overtime worked. The FLSA requires 1.5 hours of comp time for every 1 hour of overtime worked or time and one half the regular rate of pay. Flex Hours Received X 0.5 (Half Time Hours Due) = Comp Time Due.

Please see attached addendum for more information.

Item #8 – Discussion on a dog park

Alderman Dutcher asked the councilmen if there is enough interest from community members in their areas to open a dog park. John McNerney stated that they have done some research on other dog parks. They have looked into some pros and cons, cost of startup and maintaining the park and possible areas within the City that this might be possible. He feels that they need to do some more research on this. He will send out his report that he has to the council members.

Executive Session:

- Contract negotiations

Motion to go into:

By: Alderman Ferrer
Seconded By: Alderman Dutcher

Approved: Ayes – 5
Nays – 0

Noted Alderman Bird Recused herself from the executive session due to conflict of interest.

Motion to come out of:

By: Alderman Ferrer
Seconded By: Alderman Dutcher

Approved: Ayes – 5
 Nays – 0

ADJOURNMENT

Motion By: Alderman Ferrer
Seconded By: Alderman Bird

Approved: Ayes – 5
 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 20th DAY OF OCTOBER, 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.

RAYMOND A. PARKER, CITY CLERK

MAYOR BRIAN TOBIN